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Harvard College Library

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One half the income from this Legacy, which was received in 1880 under the will of

JONATHAN BROWN BRIGHT

of Waltham, Massachusetts, is to be expended for books for the College Library. The other half of the income is devoted to scholarships in Harvard University for the benefit of descendants of

HENRY BRIGHT, JR.,

who died at Watertown, Massachusetts, in 1686. In the absence of such descendants, other persons are eligible to the scholarships. The will requires that this announcement shall be made in every book added to the Library under its provisions.

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HISTORICAL MANUSCRIPTS COMMISSION.

ELEVENTH REPORT, APPENDIX, PART II.

THE

MANUSCRIPTS

OF THE

HOUSE OF LORDS.

1678—1688.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C., and
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1887.

[C.—5060.–I.] *Price* 2*s*.

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1450 – 1625	Rept. 3 apx AA 1-36
1625 – 41	Rept 4 apx. 1: 1-170
1641 – 43	Rept 5 apx. 1 1-174
1643 – 47	Rept 6 apx 1 1-221
1647 – 65	Rept 7 apx. 1 1-152
1665 – 70	Rept 8 apx. 1: 151-174
1670 – 78	Rept 9. apx 2: 1-12

1669-70. Rept. 12, s. 1. 6

1670-71 " 13 " 5

1672-73 " 14 " 6

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INTRODUCTION.

THE MSS. of the House of Lords which are calendared in these pages, cover a period extending from the beginning of the last session of the long Parliament in October 1678 to the close of the reign of James II. Of these papers, nearly one-fourth refer to the Popish Plot, amidst the first excitement of which they begin. Those relating to the Catholic Lords in the Tower (No. 6), include the proceedings of the Committee of both Houses appointed to consider the manner of their trial, as well as some hitherto unpublished petitions of Viscount Stafford, some particulars of the visit paid to him, after his condemnation, by the Earl of Carlisle and Bishop Burnet, and rough notes of his so-called "confession" at the Bar. His fate, it appears, would have been determined a day earlier than it was, but for an equality of votes which decided the question in the negative. A motion was made to postpone his execution on the ground of a rumour, contradicted in the House by the Lord Chancellor, that the King intended to pardon him. The abortive Bill of 1685 for reversing his attainder (No. 431), shows the amended preamble which, according to Barillon, caused the Commons to reject the measure. In connexion with the impeachment of the Earl of Danby (Nos. 74, 80, 103, 120, 147) will be found the Lords' Bills of disability and banishment, and the counter Bill of the Commons for his attainder, as well as notes of his speech on his surrender. A Bill for preventing the sale of offices by the Lord Treasurer (No. 131) appears as having been introduced by the Earl of Essex, while Danby was still evading the order to commit him. An Appeal of 1685 (No. 341) contains some charges against him while in office, which he, then recently released, complained of as libellous. The bail-pieces brought up in 1685 (Nos. 6, 80, 317), when the House, rescinding its previous decision of 1679 (No. 91), released the Lords from their imprisonment, show the bail required by Jeffreys and the names of the respective sureties. Particulars of the various other charges connected with the plot and counterplots that followed, appear in a variety of papers, too

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numerous for reference, and in the Minutes of the Lords' Committee for Examinations (Nos. 5, 54, 197), who, after delegating the inquiry into the murder of Sir Edmundbury Godfrey (No. 8) to a Sub-Committee, consisting of Buckingham, Winchester, and Halifax, continued their investigations from Session to Session, concurrently with the Secret Committee appointed by the Commons. Informations and counter-informations of all kinds; stories of arms secreted and suspicious meetings held in private houses; seizures of Popish books and relics, anonymous warnings and rumours of incendiarism and intended risings, arrests for recusancy, applications of Papists for leave to come to or stay in London, or for passports to go abroad; charges against officials and justices of the peace of remissness of duty or connivance with Papists; complaints of molestation by meddlesome "discoverers," a dispute as to the distribution of Papists' forfeited estates, these and other incidents attest the prevalence of popular suspicion, the vigilance exercised against priests and Papists, and the plentiful supply of informers against high and low. The merest piece of gossip, or a loose or hasty expression overheard in an alehouse, appears to have sufficed to form materials for a charge. Three officers, besides his band of pensioners, were told off for constant attendance on the King, in consequence of an alarm of Papists in the Guards (No. 11). Among others accused of being hired to kill him (Nos. 9, 198, 403), two Germans are alleged to have been brought over by the Spanish Ambassador, who, it was said, had tried to bribe Dugdale not to give evidence against Sir George Wakeman (Nos. 323, 336). Reference to the "four Irish ruffians" occurs in a curious deposition of the Duke of Monmouth's cook, tending to implicate the Queen (No. 338), with regard to whom Oates explains his tardy denunciation by stating that he found the King would "hardly believe it" (No. 33). The author of a French pamphlet, censured by the House (No. 105), gravely credits the Duke of Buckingham on this occasion with a remark objecting only to the charge as premature. Some details are given of the alleged designs against the Earl of Shaftesbury (Nos. 107, 336), including the plot promoted by the notorious Mrs. Cellier (No. 360). The Earl figures as an active member of the Committee; his name occurs in connexion, among other things, with the "blank warrant," which was intended, it appears, for some supposed assassins of the King, who were afterwards included in a Bill of attainder (Nos. 20, 23). The task of perusing impounded books

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and writings of Popish tendencies fell to Bishop Compton of London, who took a prominent part in the proceedings in the House in regard to the question of the bishops' right to vote at the trial of the Catholic Lords. The Bishops of Gloucester, Bath and Wells, and Ely, had to defend themselves in the House against a charge of Popery, which the Lords, after hearing them, refused to communicate to the Commons (No. 135).

Of the principal informers there are frequent notices. The antecedents of Oates, Bedloe, and Dugdale, are referred to in a French pamphlet, as to which Lord Shaftesbury was deputed to examine the Lords in the Tower (No. 105). Oates complains of various persons for aspersing him and reviling his evidence (Nos. 15, 54, 107, 197). We find him, in 1680, accusing young Tonge of having been bribed to denounce him as the inventor of the plot (No. 334), and L'Estrange of being concerned in the conspiracy (No. 264). Bedloe desires leave to dress his own diet at Whitehall, having been warned that he should "give no more evidence" (No. 33), and complains of being watched by the yeomen of the Guard, and his writings reported to the Lords in the Tower (No. 197). Prance's pardon was obtained, it appears, by an address on behalf of "a person now in custody, whoever he is," Lord Shaftesbury informing the House, after the promise of pardon was reported, that the "person" was Prance (No. 8). Among a batch of informers, in the autumn of 1680, reference occurs to Mowbray and Bolron (Nos. 247, 264, 292), Turberville and De Feria, the Portuguese Ambassador's Jewish servant, who is referred for instruction to the Archbishop of Canterbury, having expressed his desire to be converted (Nos. 264, 293, 336). The depositions of the Irish informers were referred to a Sub-Committee consisting of Shaftesbury, Essex, Burlington, and Fauconberg. There is a petition of Plunket praying to be maintained at the King's charge during his imprisonment, having been reduced to a state of destitution (No. 269). Further details as to this alleged conspiracy are to be found in the deposition of one Crew against his master, Lord Slane (No. 277), and in the papers relating to Col. Piers Lacy, Sir J. Fitzgerald, and Sir Thomas Southwell, the last of whom states that his accuser was one of his tenants, whom he had sued for non-payment of rent (Nos. 392, 394, 395.)

The grievances of foreign immigrants in consequence of the rigorous proceedings against Catholics appear in a petition of tapestry makers in 1678, who are obliged by the late Procla-

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mation to quit the country (No. 42), and in another of gold-beaters from the Spanish Netherlands, imprisoned in the Gatehouse for not taking the oaths, who pray for leave to return, stating that they had relied on the King's Declaration for encouraging aliens to come to England, and on the assurances of the Spanish Ambassador (No. 36). A Bill of 1680 for encouraging foreign artificers is expressly limited to Protestants, who, as the preamble states, were then suffering from persecution abroad (No. 349.)

A variety of Bills, which failed to pass in consequence of the broken sessions and sudden prorogations, mark the persistent attempts of Parliament during the reign of Charles II. to supplement and sharpen the already stringent laws against Popish Recusants. Repeated efforts were made to clear London of Papists. A proclamation, in connexion with which there are some returns made by the justices of the peace (Nos. 21, 22, 40), was issued in 1678, on an Address of both Houses, to put in force the Act of James I. This was followed, in 1679, when special inquiry was instituted as to Papists in the Inns of Court, Doctors' Commons, and the Heralds' College (No. 114), by a Bill, prepared originally on the recommendation of two judges in their report on the existing laws (Nos. 96, 119, 161), and re-introduced and made more stringent in 1680 (No. 245), when strict search was made for Irish Papists in particular (Nos. 256, 270), upon complaint of their "great resort" to London and Westminster. Three important Bills, originating in the Lords in the autumn session of 1678, were among the earliest consequences of the Plot. The first of these, "for the better discovery and more speedy conviction of Popish Recusants," recites the evasion of previous tests of recusancy, and requires the Declaration in the Test Act of that year to be taken by every reputed Papist above the age of sixteen (No. 29); it was re-introduced the next session, but dropped in the Commons after commitment (No. 95). The two others, which were intended to prevent Recusants from trading in arms or books (No. 44), and from sending their children abroad for education (No. 48), were linked, on their revival in 1679 and 1680, to the Bills of those sessions, already noticed, for removing Papists from London, the fortunes of which they shared. In December 1680, a more general and sweeping measure of proscription was prepared by the Lords' Committee for Examinations, under the title of "An Act for the better securing the present peace of this kingdom, by

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removing several principal persons of the Popish religion from their respective habitations, and confining them to other parts and places within this kingdom, and for disarming all Papists." The preamble ascribes the failure of previous efforts to expel Papists from London to the encouragement and assistance given by the Catholic gentry in the country. Lists of the persons intended to be dealt with in the Bill appear among the papers, having been delivered to the Committee by the Earl of Sunderland (No. 321).

In connexion with the Parliamentary Test Act of 1678, the Minute Book supplies an account of the proceedings in Committee as to exempting the peers from subscribing the declaration in addition to taking the oaths; an amendment which (Hallam strangely omits to state) the House disagreed to on report (No. 26). Two Lords' Bills of the following session proposed to extend these tests to the established clergy; the former requiring every member of Convocation to take the oaths and subscribe the Declaration on pain of being adjudged a Popish Recusant and forfeiting 500*l.* to the person suing (No. 98); and the latter requiring the Declaration to be subscribed in open court at Sessions, under pain of deprivation of office and a fine of 200*l.*, by "all persons enjoying any benefice or ecclesiastical promotion or any place in either University or any school, and thereby being qualified to instruct others." (No. 121).

The rejection by the Lords on 15th November 1680 of the famous Exclusion Bill, the text of which is among these papers (No. 283), was followed by a four days' debate, on the House going into Committee for "effectually securing the Protestant Religion," during which, as will be seen, the question of Limitations was again discussed (No. 297). The outcome of this debate appears in two remarkable Bills, one the Protestant Association Bill (No. 298), and the other (being an embodiment, drafted by the judges, of various heads agreed to by the House)* a Bill for the security of the Protestant Religion (No. 318). Another of these heads was a proposal for an enquiry as to Papists in the Army and Navy, and the House agreed to ask for lists of the various officers, as also of the Lords Lieutenant, from the Secretaries of State (Nos. 287, 288). The complaints as to the abuses in altering the Commissions of the Peace had already led to the

* This was the practice usually adopted by the House at this time in the case of Bills of first-rate importance.

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appointment of a Committee of investigation, in connexion with which there are a number of returns, full of interest to the county historian, from which it appears that no less than 12 Peers and nearly 60 members of the House of Commons had been put out of their Commissions by upwards of 40 different warrants issued during the first six months of that year (Nos. 274, 275).

The injuries inflicted on Protestant Dissenters by their prosecution under the penal laws intended against Papists, appear in the proceedings of a Committee, which resulted in an Address and afterwards in a Bill, drafted by Lord Anglesey, for their relief (No. 289). Of the two Bills for repealing the obnoxious Act of 35 Elizabeth (Nos. 305, 386), the former is noticeable for the curious incident of its withdrawal at the last moment.

Conspicuous among the civil enactments of this period is the memorable Habeas Corpus Act. The history of this Bill, which, after a series of re-introductions and changes, finally passed into law in the spring of 1679, will be found at length completed in detail. Its passing, according to Burnet, was due to an artifice, one of the tellers, he says, having counted a "very fat lord" as ten. Incredible as this story appears, the Minute Book, strangely enough, contains fewer Peers present than are represented on the division (No. 163). With regard to another Act of that session, granting a supply for disbanding the foreign forces of Charles II., the Commons' Engrossment of 1678 shows the form in which it was originally introduced (No. 61). An abortive attempt to revive the Licensing Act against the press, which had expired in 1679, appears in a miscellaneous Bill of 1680, containing the substance of the later enactment of 1685 (No. 246.)

There are a variety of other Bills, belonging to this time, which failed to pass. No. 30 gives the text of the Militia Bill of 1678, to which Charles refused his assent. Concurrently with the renewal of the Irish Cattle Act in January 1680–1, appears another Commons' Bill "for limiting the times of importation of cattle from Scotland," which had been resumed, as the preamble states, since the expiry of the Act of 1663, to the prejudice of English graziers (No. 372). A minor instance of protection occurs in a Bill of 1685, rejected by the Lords, which prohibits, in the interest of English manufactures, the importation of tallow candles from Ireland and other parts beyond the seas No. 470). A Lords' Bill of the same session, providing for the

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trial of murders committed at sea, was intended to remedy a defect arising from the impossibility of framing a legal indictment, if the person died in this country (No. 434). The Bill for preserving the King's person and Government, which dropped with the prorogation, is also among the papers (No. 471), but the text has already been printed in Fox's "History of James II." from a Commons' copy of the Bill.

In the numerous appeals which mark the ordinary judicial business of the House will be found a variety of details of local interest to the county historian, and useful in many cases as throwing light on the transmission of landed property. The Hamburg Company petition for relief against the seizure of a ship, for carrying goods contrary to the recent Act against the importation of French commodities (No. 27), and a Bill was brought in afterwards to annul the decree complained of (No. 73). The Earl of Mulgrave has an appeal concerning the rent for some alum works at Mulgrave, payable by Sir John Gibson, then "Farmer of all the alum mines in England" (No. 50). Sir Oliver Butler complains of the Corporation of Rochester for having put down the weekly market erected by him at Chatham, "nearly 20,000 people being thus obliged to fetch their provisions from Rochester" (No. 242). An appeal in 1679 deals with a loan of 300,000*l.* to the King on the credit of the Wine Duties Act of 1668 (No. 125). The Lord Chief Baron Montague appears as respondent in a case concerning the settlement of some lands in Kent (No. 342); there is an appeal, involving some family litigation, brought by the son of the late Chief Baron Turner, and another in which the notorious Scroggs is respondent (No. 284). Baron Atkyns is a party in two appeals, in one of which he argued his case in person (Nos. 449, 484). Sir Robert Vyner, in a suit brought for the recovery of a debt, claims privilege as the King's goldsmith (No. 404). There is a money-lending case against Sir James Smith, the Lord Mayor of London, whom the respondent accuses of being a party to "infamous practices" of that sort which "have grown more frequent than formerly" (No. 441). The Duke of Buckingham appears in an appeal respecting arrears due to the workmen for building his new palace at Cliveden (No. 446), and in connexion with some proceedings concerning Hatfield Level, which were referred to the Committee for Privileges, and in which the petitioner complains of frauds having been practised against the estate of the late Duke (No. 479). Some litigation occurs in

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connexion with an estate, the custody of which had been committed to a steward, who figures as respondent, to save it from the Usurpers during the Civil War (No. 138). An appeal respecting some property in Hampshire was dealt with in a Committee of the whole House (No. 209).

Some petitions occur for the redress of miscellaneous grievances. Among these is one from the wives and widows of seamen prisoners in Algiers, representing their distressed condition (No. 171). The churchwardens of Chichester complain of their Bishop for refusing to contribute to the poor rate on the ground of privilege, and the Bishop, who spoke on the subject in the House, agreed to waive his claim (No. 251). Harris, who, for printing "An Appeal from the Country to the City," had been sentenced by Scroggs to be imprisoned till his fine of 500*l.* was paid, complains that he has been in prison for nine months, and is quite unable to pay the money. Some interesting evidence is given by the Judges before a Committee appointed in consequence of this petition, as to the powers and practice of the Courts with regard to punishments for libel (No. 301.)

The cases of Peers' privilege relate mostly to the arrest of their servants, or of persons claiming their protection, for small debts. The Earl of Strafford complains of his servant having been pricked to serve as a constable for Covent Garden parish (No. 259). A petition of a tenant of the Duke of Norfolk—then abroad—opened up the question of privileges of Peers beyond the seas, which was referred to the Committee for Privileges, but there is no entry of any proceedings or report (No. 109). The Duke of Monmouth complains of having been aspersed by a clergyman who confessed to having uttered "rash words in derogation of the honour of Parliament" (No. 359), and the Earl of Anglesey petitions the House against one Philpott, who was stated to have spoken of him as a rogue for opposing the Bill of Attainder against the Duke of Monmouth (No. 461). Claims of privilege as servants of the King occur in the case of a groom of the Privy Chamber (No. 364), and of a groom of the King's Bedchamber, who had been sued by a milliner for a bill (No. 152).

The foregoing is a necessarily imperfect summary of a number of papers comprising a large variety of details. Demands on the press in connexion with other collections of Historical MSS. forbid the extension of the present instalment of the calendar beyond the Revolution, when the interest of these

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archives assumes a broader character, corresponding in importance to the events of the time and the legislation consequent upon the change of Government.

E. FAIRFAX TAYLOR.
FELIX SKENE.

Abbreviations used in the following Calendar.

MS. Min.—MS. Books containing Minutes of the proceedings in the House, and intituled "Journal."

Com. Book.—MS. Books containing Minutes of the proceedings of Select Committees.

Pet. Book.—MS. Books containing Minutes of the proceedings of the Committee for Petitions.

Priv. Book.—MS. Books containing Minutes of the proceedings of the Committee for Privileges.

Exam. Book.—MS. Books containing Minutes of the proceedings of the Committee for Examinations into the Popish Plot.

J. P. Book.—MS. Book containing Minutes of the proceedings of the Select Committee on the Commissions of the Peace.

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HISTORICAL MANUSCRIPTS COMMISSION.

THE MANUSCRIPTS OF THE HOUSE OF LORDS.

1678.

1. Aug. 1. Prorogation.—Commission to prorogue Parliament from 1st to 29th August. *Parchment Collection*, L. J., XIII. 290. *In extenso.*

2. Aug. 29. Prorogation.—Commission to prorogue Parliament from 29th August to 1st October. *Parchment Collection*, L. J., XIII. 291. *In extenso.*

3. Oct. 10. L. Howard of Escrick.—Writ of Summons to William, Lord Howard of Escrick. [Took his seat 7 Nov. L. J., XIII. 341. *See also* No. **17.**]

4. Oct. 16. L. De Grey.—Writ of Summons to Charles, Lord De Grey. [Took his seat 21 Oct. L. J., XIII. 297.]

5. Oct. 23. Popish Plot (Committee for Examinations). — MS. Minute Book of the Committee for Examinations. From 23 Oct. to 12 Dec. 1678. Vol. I. The Chairmen* are as follows:—*Bishop of Rochester* on Oct. 23–30, Nov. 1, 8; *E. Essex* on Nov. 1 (p.m.), 2, 16, 18, 19, 21, 22, 25–8, 30, Dec. 6, 7, 9–12; *Bishop of Bath and Wells* on Nov. 4, 6, 7; *L. Gerrard* on Nov. 12; *E. Shaftesbury* on Nov. 12 (p.m.), 14, 15, Dec. 3; *L. Privy Seal* (*Anglesey*) on Nov. 19 (p.m.); *E. Clarendon* on Dec. 2, 5; *M. Winchester* on Dec. 4, 6 (p.m.), 11 (p.m.); and *L. Wharton* on Dec. 4 (p.m.). The morning sittings begin at 9, and the afternoon sittings at 4. The bulk of the contents record the proceedings of the Committee appointed this day to enquire into the Plot and the supposed murder of Sir Edmundbury Godfrey (L. J., XIII. 299); but there are also Minutes of other Select Committees appointed during this enquiry, viz[t] for examining the vaults under the House (*ib.* 331), for inspecting M. Choqueux' fireworks (*ib.* 348), and for preparing Coleman's Letters for his trial (*ib.* 354), and of Committees on several Bills. The entries relating to subjects in connexion with which papers exist in this Calendar, will be found under their respective numbers. The remaining entries are as follow:—

Tonge's and Oates' Papers:—

23 Oct.—Ordered That *Sir Thomas Armstrong*† attend to-morrow, and that the *L. C. Justice Scroggs* do attend.

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* Ralph (i. p. 39) is mistaken in supposing that the L. Treasurer (Danby) was Chairman; his name is not once mentioned as such.

† For Sir T. Armstrong's evidence, which relates to the death of Sir E. Godfrey, *see* No. **8.**

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HOUSE OF LORDS MSS. 1678.

i. The first paper of Dr. Tonge's information is read, concerning Mr. White the Provincial, etc.

ii. The Second, a Brief Account of the Conspirators, etc. is read.

iii. The "43 Articles taken in a Dinner Chamber," etc. are read. —*Memorandum:* To take notice of the names of the persons mentioned in the 49th Article. *Query.* Where John Keynes preached? mentioned in the 50th Article. *Mem.:* Mr. Smith of Covent Garden, St. Martins' Lane. *Query.* When any of the persons mentioned in the Articles were apprehended? *Query.* Where the Papers are which Oates was sworn to before his Majesty in Council?

iv. The Observations of the paper of 19 Aug. 1678 are read.

v. } Fifth and sixth not read.
vi. }

vii. Articles, Evidence is read.

viii. Articles, Testimony is read, relating to his Royal Highness the D. of York, etc.

Ordered That Sir Philip Lloyd bring to this Committee the Paper sworn to by Oates to-morrow morning, and that Mr. Oates attend here and Dr. Tonge.

24 Oct.—ix. The Ninth Paper entitled "Holland" is read, concerning informations to the Emperor and Holland against the King's Majesty and the Prince of Orange.

Scotland; the same Paper concerning raising sedition in Scotland.

x. The tenth Paper entituled "Ireland" is read, concerning the Catholics rising there.

The L. Chief Justice being present, informs that Sir Edmundbury Godfrey, about a week before he was missing, left the Examinations with him, and he took a copy of them. That Sir E. Godfrey had the original away on Friday. He promises to send the paper copy to the Committee at 4 in the afternoon. *Ordered,* That Sir E. Godfrey's brother be desired to give an account to this Committee at 5 what papers he has delivered to the Speaker of the House of Commons (C. J., IX. 520), and whether he has the original Examination of Oates, taken by Sir E. Godfrey.

xi. The eleventh Paper is the Key of the Ciphers, and concerning the firing the Strand, Westminster, St. Thomas Apostles, Wapping, Tooley St., etc., and about the Fire of London in 1666 and in Southwark in 1676.—A Catalogue of the Archbishops, Bishops, etc. settled by the Pope's Bull is read, with the numbers of Jesuits, Priests, etc. in England and abroad, 1,700 English.

xii. The twelfth Paper is read, dated 20 August 1678.

xiii. Postscript is read.

xiv. The Paper Aug. 29, 1678 is read, being E. Tonge's Observations, etc.

xv. Sept. 3, 1678. A letter to the L. Treasurer is read.

xvi. Sept. 21, 1678. A Breviate of the Articles against the Conspirators is read.

xvii. The Paper entitled "Letters that came to London" is read, Aug. 26, 1678.

xviii. The Papers "Letters to Scotland" are read.

(*Bedingfield's Letters.*) Then the following five letters to Bedingfield are read, viz^{t}:—

i. Mr. Blundell's letter of 29th August.

ii. Mr. Fenwick's letter, 26 August.

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iii. A letter from Fogoty [Fogarty],* without date.
iv. Letter from Mr. Ireland, dated Flamsteed, 1 Aug. 1678.
v. Letter from T. White, dated Flamsteed, 1 Aug. 1678.

Memorandum: That by order of the Committee, the 18 Papers and 5 Letters which have been read, were delivered back this day by the Chairman to Sir Philip Lloyd, one of the Clerks of the Council. [From later entries it appears that the five letters sent to Bedingfield to Windsor were delivered in the House on 25 Nov. by E. Essex to the L. Chancellor, who had them still in his possession on 10 Dec. when Coleman's and the other papers brought from the Council were finally returned to Sir Thomas Dolman (Exam. Book, 25 Nov., 10 Dec.). These five letters are printed *in extenso* by Ralph i. 383 *note.*]

Eod. die. p.m. The Chairman (Bp of Rochester) produces the copy of Tonge's and Oates' depositions brought to the L. C. Justice of the King's Bench by Sir E. Godfrey and by the L. C. Justice sent in to the Committee. The same is begun to be read, concerning the raising dissension in Scotland, etc., and so proceeds relating the whole practice against the King and the Protestant religion. When the Committee had read to the 20th paragraph or Article, it was Ordered that the Clerk attend Sir Philip Lloyd to compare this copy with Dr. Tonge's Informations which have been read.† *Mr. Michael Godfrey* and his brother are called in and asked if they have the original depositions. *Mr. M. Godfrey* says he called Sir Edmundbury's clerk and found the book and sealed it up, and by order of the House of Commons has delivered it there. He knows of no other papers or books.

(*Coleman's Letters*) :—The following four letters are read, vizt.:—

A letter of 29 Sept. 1675 to the Confessor Father Le Chaise [*Treby*,‡

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* As to Dr. Fogarty, whom Oates accused of having procured the 'four ruffians' to murder the King (L. J., XIII. 323, 401, Howell's State Trials, VII. p. 20), the following further entries appear in this volume, vizt:—5 Dec. Capt. Richardson informs the Committee that Dr. Fogarty died last night in Newgate, he supposes about 4. *Ordered*, That the Coroner of London take Mr. Knolls and Mr. Bateman, Surgeons, with him, and open the said Fogarty and give their Lordships an account thereof. 6 Dec. The Coroner is called in, and delivers in the Inquisition and the Informations of Mr. Knolls and Mr. Bateman, Thomas Matchett, Turnkey, and Jane Forester, Nurse, touching the death of Dr. Fogarty, which are read, and the Inquisition is delivered back to Mr. Rowbotham, the Coroner. They withdraw.

† On 25 Oct. Sir Philip Lloyd gives an account of the paper they were to examine against this morning, in which is found a List of the Conspirators, which is not in the papers formerly read, but in the paper sent in by the L. C. Justice, bearing date 6 Sept. 1678, as taken then by Sir E. Godfrey. After reading this List it is moved that Sir G. Wakeman may be secured, and that it be reported to the House for that purpose (*see* L. J. XIII. 302), and an order is made as to Whitebread and Micho, for which *see* No. **37**. With regard to the Minutes taken at the Council upon Oates' examination, for which an Address was voted on 31 Oct. (L. J., XIII., 310), these entries appear :—1 Nov. Sir Philip Lloyd acquaints the Committee that he has brought the Minutes that he took at the Council. The Minutes taken by Sir Robert Southwell at the Council Board on 28, 29, and 30 Sept., which he has since extended into a Narrative, which has also been read at the Council, are produced by Sir R. Southwell, and the Narrative is read by him, but not left with the Committee. Ordered, That a State of the Case, drawn by Mr. Attorney, be read to-morrow. Sir Philip Lloyd promises it against the next meeting. 4 Nov. The State of the Evidence by Mr. Attorney is read, concerning Fenwick and the other prisoners. Ordered, That Sir Philip Lloyd attend with the Minutes taken at the Council Table at the Examination of the prisoners relating to the Plot on Wednesday next. No further entries on this matter.

‡ The references are to the Collection of Letters, published by Sir G. Treby, the Chairman of the Commons' Committee of Secrecy, London, 1681. The letters marked there 'Lecta pro Rege' were read at Coleman's trial.

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Part I., pp. 109–116. "Lecta pro Rege." *Howell's* State Trials, vii. 35. C. J., IX. 525.]

A letter without date. [*Treby*, Part I., pp. 117–119. *See* Minutes of 18 Nov. below.]

A letter of 29 June 1674 in French. Read by Sir Philip Lloyd [*Oldmixon*, ii., p. 581.]

A letter of 28 Sept. 1678 by an unknown person from Paris to Coleman, is read to show the continuance of his correspondence still abroad, etc.

A draft of a Declaration after the endeavoured dissolution of the Parliament. *Question.* Whether the Declaration shall be read? *Contents* 7; *Not Contents* 24. Resolved in the Negative. [*Treby*, Part II., pp. 21–25; *Ralph*, i., pp. 414–416 *note; Howell's* State Trials, vii., pp. 47–54. An entry of 25 Nov. states that the declaration was delivered that day in the House by E. Essex to the Attorney General.]

25 Oct.—The letters of Mr. Coleman are begun to be read:—
First letter, 22 May 1674.*

The Coachman of Coleman being sent for, is at the door. He is called in and owns he is his servant. Has served him six years. He is a Protestant and all his relations. *The Committee* tell him he shall be protected telling the truth.—He says he carries his master to Whitehall, St. James', Lincoln's Inn Fields and L. Arundell of Wardour's house. He set his master down in Lombard Street. He knows nothing what was put into his coach, neither papers, boxes, or trunks. It was a Sunday night I carried him into London and brought him to Whitehall. I am always at home by 7 or 8 at night. I was never out of town, and only carry my Lady. It was Sunday he was at L. Arundell's, before he went into London. He withdraws.

Second letter is begun to be read, 24 July 1674. Sir Philip Lloyd reads it in English. [*Treby*, Part I., pp. 4–6.]

Third letter, 14 Aug. 1674 is read. [*Treby*, Part II., p. 4 from a translation by Sir E. Jennings.]

Fourth letter, 21 Aug. 1674, read. [*Treby*, Part I., pp. 7–8. Marked there "*Lecta pro Rege.*"]

Fifth letter, Sept. 5, read.

Eod. die. p.m.—Sixth letter, dated 11 Sept. 1674 read. [*Treby* pp. 11–12.]

Seventh letter, 2 Oct. 1674 read. [*Treby*, Part II., pp. 4–6 from a translation by Sir Edward Dering.]

Eighth letter, dated 23 Oct. 1674 read. [*Treby*, Part I., pp. 12–16. Marked there "*Lecta pro Rege.*"]

Ninth letter, 13 Nov. 1674 read.

Tenth letter, 11 Jan. 1674–5 read. [*Treby*, Part II., pp. 6–7 from a translation by Sir Thomas Dolman.]

Eleventh letter, 5 Feb. 1674–5 read. It mentions a Proclamation against Priests, etc. [*Ib.*, pp. 7–8 from a translation by Sir Charles Cottrell.]

Twelfth letter 12 Feb. 1674–5 read. [*Ib.*, pp. 8–9 from a translation by Sir Henry Capell.]

Thirteenth letter, 5 March 1674–5 read.

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* The first 16 of these letters are stated by Sir Rob. Southwell to have been from Coleman to the Internuncio, the seventeenth from Coleman to Sir W. Throgmorton, and the eighteenth from Coleman to Le Ferrier. (*See* Minutes of 18 Nov. below.)

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Fourteenth letter, 9 April 1675 read. *Treby*, Part II., p. 16, from a translation by Sir Thomas Meeres.]

Fifteenth letter, July 1675 read. [*Ib.*, pp. 11–12, from a translation by Sir Charles Sedley.]

Sixteenth letter. Windsor Aug. 3 (*sic.*), 1675, read. [Q^r *Treby*, Part I., pp. 17–19, letter dated "Windsor 30 Aug. 1675."]

26 Oct. —— Seventeenth letter, 1 Feb. 1674–5 read. [*Treby*, Part II., pp. 1–3 from a translation by Sir Robert Southwell. *Comp.* Minutes of 18 Nov. below.]

Eighteenth letter. Supposed to be writ in Oct. or Nov. 1674, to Le Ferrier, read.

The L. Bishop of Rochester is directed by the Committee to move the House that Mr. Coleman's letters that have been perused may be sent to the Commons. (*See* L. J., XIII. 303.) . . . . Mr. Coleman's letters that have been read are sealed up and delivered back to Sir Philip Lloyd, to be transmitted to the Commons.

A part of a letter of Sir W^m Throgmorton's, dated in Nov. 1675, writ with lemon, is read by Sir Philip Lloyd.

Another letter of Dec. 1 begun to be read. [*See* next day's proceedings.]

28 Oct. — A letter of Sir W^m Throgmorton to Mr. Coleman, written with lemon juice, is read, dated 28 Nov.

A letter of 1 Dec. 1674 is read, of Sir W^m Throgmorton. [*Treby*, Part I., pp. 57–64. From Throgmorton to Coleman. Paris. Marked "*Lecta pro Rege.*"]

A letter of Le Ferrier, dated 25 Sept. 1674, read in English by the B^p of Rochester. [*Ib.*, p. 6. From the French King's Confessor to Mr. Coleman, 15 (should be 25, see next letter) Sept. 1674. Marked "*Lecta pro Rege.*"]

An answer of that letter, written by Coleman without date is read. [*Treby*, Part I. pp. 3, 4. Noted to have been written in answer to a letter of 25 Sept. Marked "*Lecta pro Rege.*"]

A draft of a letter without date, drawn by Coleman for the Duke to sign and sent to M. Le Chese, the French King's Confessor. [*Ib.* pp. 119, 120].

Sir Philip Lloyd says that he has delivered already to the Committee all the Papers that have been read at the Council or at the Committee of the Council. He delivers in other Papers which have not been perused by the Council.

29 Oct.—Sir W. Throgmorton's letter of 1 Dec. 1674, begun to be read yesterday, is read again, being writ with lemon.

The next letter of Dec. 5, being only of news, is not read.

The letter of Sir W. Throgmorton, Dec. 8, in lemon ink is read.

The letter of Sir W. Throgmorton, dated 2 June 1674 is read.

Sir W. Throgmorton's Instructions in French, dated 2 June 1674 are read. [*Treby*, Part I., p. 78.]

The letter of Sir W. Throgmorton, dated 15 Dec. 1674 is read. [*Ib.* pp. 65, 66. From Sir W. Throgmorton to Mr. Coleman.]

Ordered that Capt. Berkeley attend at 4 in the afternoon.

A letter of Sir W. Throgmorton, dated 15 December to Mrs. Coleman is read. [Q^r letter of 16 Dec. in *Treby*, Part I., pp. 67, 68.]

A letter of Dec. 27 to Mr. Coleman from Sir W. Throgmorton is read.

30 Oct.—*Capt. Berkeley* is called in. He is asked whether in the search for Coleman's Papers he did not take a bundle of papers there

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that he neither delivered to the Secretaries nor Clerks of the Council. He says he did find a bundle of papers in Mrs. Coleman's closet which papers he delivered to D. Monmouth, the Council not sitting, which the Duke gave him again about an hour and a half after to send to Mrs. Coleman, she having desired him, the said Capt. Berkeley, that he would speak to some of the Lords of the Privy Council that they might not be exposed to public view. I delivered them sealed to the Duke, but had them open back. One of them was a bond. There were some red lines in one of them. He withdraws. *Ordered* That Bradley the Messenger attend at 4.

A letter of Dec. 26, 1674 of Sir W. Throgmorton is begun to be read.

E. Peterborough informs the Committee that the L. Anslow [Annesley] having had discourse with Mr. Oates last night, could inform their Lordships of something of great concern. He is called in. The L. Anslow [Annesley] says that last night, going to visit his brother and missing of him, he had some discourse with Mr. Oates, and among other things, Mr. Oates informed him that if he could be heard at the House of Peers he could say something that would in a manner clear the D. of York of what Coleman's letters say of him. That they had got a seal with the Duke's arms on it, which they used to seal letters with to the Pope and others. *Mr. Wynyard* is sent for Mr. Oates to attend the House, and is ordered to take a Guard at Whitehall to secure him in his coming. [For proceedings in the House this day, *see* L. J., XIII. 309.]

A letter of Sir W. Throgmorton's of Dec. 29 not read, because not with lemon.

A letter of 2 Jan. 1674–5 of Sir W. Throgmorton's is read.

A letter of 9 Jan. 1674–5 of Sir W. Throgmorton's is read.

A letter of 15 Jan. of Sir W. Throgmorton's is read by Sir Philip Lloyd.

A letter of 19 Jan. 1674–5 of Sir W. Throgmorton's is read. [*Treby*, Part I., pp. 68, 69.]

Eod. die p.m.—A letter of Sir W. Throgmorton's of 23 Jan. is read by Sir Philip Lloyd.

A letter of 26 Jan. from the Lady Throgmorton to Mrs. Coleman, with lemon lines between from Sir W. Throgmorton to Mr. Coleman.

A letter of 30 Jan. 1674–5 from Sir W. Throgmorton to Mr. Coleman is read.

A letter of 2 Feb. 1674–5 not legible.

A letter of 6 Feb. 1674–5 of Sir W. Throgmorton to Mr. Coleman is read. [*Treby*, Part I., pp. 69–70.]

A letter of 9 Feb. 1674–5 of Sir W. Throgmorton to Mr. Coleman is read. [Qy *ib.* pp. 70–72: letter from Sir W. Throgmorton to Mrs. Coleman, Paris.]

An abstract made of it by Sir Philip Lloyd is read.

An Abstract of a letter of 13 Feb. from Sir W. Throgmorton to Mr. Coleman is read. [*Treby*, Part I., pp. 73–75.]

An Abstract of a letter of 20 Feb. 1674–5 from Sir W. Throgmorton to Mr. Coleman is read. [*Ib.* pp. 75–77.]

The following letters from Father Sheldon to Mr. Coleman are read, viz^{t}.:—

A letter of 1 June 1675. [*Ib.* pp. 46–47.]

A letter of 12 June.

A letter of 25 June 1675. [*Ib.* p. 48. Marked "*Lecta pro Rege.*"]

A letter of 29 June 1675. [*Ib.* pp. 48, 49.]

A letter of 13 July. [*Ib.* p. 49.]

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A letter of 30 July, imperfect, therefore not read.
A letter of 7 Aug. 1675.
A letter of 17 Aug. 1675. [*Ib.* pp. 50–51. Colombe. Marked "*Lecta pro Rege.*"]
A letter of 30 Aug. [*Ib.* pp. 51–53. Colombe.]
A letter of 24 Sept. 1675. [*Ib.* pp. 53–4. Colombe.]
An Abstract of a letter of 10 Oct. [*Ib.* pp. 54–56. Colombe.]
A letter of 22 May 1675. [*Ib.* p. 46.]

The following letters or Abstracts of letters from St. Germain to Coleman are read, viz^{t}.:—

A letter of 21 Dec, 1675, begun to be read by the B^{p} of Rochester. [From Paris. Marked "*Lecta pro Rege.*" Extract translated out of French according to the cipher received from the Lords' Committee. *Treby*, Part I., p. 29.]
An Abstract of a letter of 21 Dec. [*See* preceding.]
An Abstract of a letter 25 Dec. [*Treby*, Part I., pp. 29–30.]
" " 1 Jan.
" " 16 Jan.
" " 18 Jan.
" " 22 Jan.
" " 29 Jan., read, and afterwards the letter itself read. [Q^{y} *Treby*, Part I. Extract. From Paris. Marked "*Lecta pro Rege*" (pp. 30–31), and letter of same date, translated by Sir G. Downing (pp. 31–32).]
Abstract of a letter of 1 Feb. 1675.
Do. " 8 Feb. 1675–6. [*Treby*, Part I., pp. 33–34 from translation by Sir Henry Capel.]
Abstract of a letter of 19 Feb. 1675,
" " 22 Feb.
" " 26 Feb.
" " 4 March.
" " 11 March. [*Treby*, Part I., pp. 34–35 from a translation by Mr. Anchitel Gray.]
" " 28 March 1676. [*Ib.* pp. 40–41, from a translation by R. Whitley.]
" " 8 April.
" " 16 May. [*Treby*, Part II., pp. 16–18, from a translation by Sir Cyrill Wyche.]
" " 4 July.
" " 11 July.
" " 16 July.
" " 22 July.

The Papers which have been perused by the Committee, as also those which have not yet been read, are all (except the L. C. Justice's Papers) delivered to Sir Philip Lloyd, who will attend their Lordships with those of them that have not yet been read to-morrow at 4.

1 Nov.—*Sir Philip Lloyd* acquaints the Committee That he has by the King's Order delivered the Papers that were not read here, as well as those that were read, to the Commons, but he has an Abstract of the 15 letters from the Internuncio, which are read, viz^{t}.:—
First letter bore date 5 June 1674.
Second " 22 June 1674.

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Third letter bore date 3 July 1674.
Fourth „ 24 July 1674.
Fifth „ 14 Aug. [*Treby*, Part I., p. 21, from a translation by Thos. Thinn, Esq.]
Sixth „ 21 Aug.
Seventh „ 4 Sept.
Eighth „ 7 Sept. [*Treby*, Part I., p. 28, from a translation by Sir Humphrey Winch.]
Ninth „ 28 Sept. [*Ib.* p. 22, from ditto.]
Tenth „ 19 Oct. [*Ib.* p. 23, from ditto.]
Eleventh „ 30 Oct. [*Ib.* p. 24, from a translation by Sir Gilbert Talbot.]
Twelfth „ 12 Jan. 1674–5. [*See ib.* pp. 25, 121, and *Harris'* Life of Charles II., Vol. ii., p. 144 *note*.]
Thirteenth „ 17 Jan.
Fourteenth „ 3 June 1675. [*Treby*, Part I., pp. 26–27, from a translation by Sir Ed. Dering.]
Fifteenth „ 19 Oct. 1675. [*Ib.* pp. 27–28, from ditto.]

4 Nov.—*Ordered*, That the House be moved That Mr. Coleman's servants that attend at the door may be sworn this morning in order to their examination at the next meeting of the Committee. [The House on the 2nd had ordered Coleman's four clerks and all his other servants to appear before the Committee this day (L. J., XIII. 334).]

6 Nov.—*Jerome Boateman* (Coleman's servant), sworn, says he waited on him and wrote for him. He is a Catholic, says no papers of his masters' have been removed since his master went away. I was employed to write foreign and home news. The correspondency was held on till my master was taken. There came letters by post since my master was taken. I delivered the letters to my mistress to carry my master after he was under the Messenger's hands. One of the letters came from Sir Richard Bolstred [Bulstrode]; the other was an Italian letter. My master wrote the private business himself, and I wrote the common business. I saw L. Arundel, L. Castlemaine and L. Powis at my master's sometimes. I never saw them private unless walking with him in the garden. Mr. Cattaway* (who lives in the Bowling Alley) used to see my master every day. Mr. Gowing and Mr. Snapes were my master's neighbours, but no great correspondents of my master's. He withdraws. —*John Cursin* (sworn) says: I cannot write. My master [is] Coleman. I carried my master frequently to the E. Powis' and the L. Arundel's, ever since I served him, which is six years. I know not what business he went about. I never carried my master to Sir Edmundbury Godfrey's. He withdraws.—*John Tender* (sworn): Is Coleman's footman, a Protestant. Says his master used to go frequently to his mother's. The day before my master was taken I was with him in Lombard Street. We left him near Mr. Whitall's in Lombard Street. I have seen Visct. Montague, L. Petre, L. Powis and L. Castlemaine and L. Arundel o! Wardour at my master's house. My master went often to my L. Arundel's. He used to go to my L. Bellasis' and the E. Powis' lodgings. He withdraws.—*François Chevrier* (sworn): Has lived with Coleman three years, butler and gardener. I attended sometime at the door, much company came to my master's. I saw L. Arundel there once. I carried a letter about three or four months since to L. Arundel.

* An address for a Proclamation for the surrender of John Cattaway, among others, was agreed to on Nov. 9. L.J., XIII. 346.

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He withdraws.—*John Tender* says, my master sent Mr. Cadaway [Cattaway] to the place where the coachman and I were to bring the coach to the Exchange to him. My master went into Mr. Whitehall's house when I left him.—*Jerome Boateman* says, Mr. Cattaway is gone into the country to provide a house for his family. I think he is gone into Suffolk.—*Ordered*, That Mr. Whitehall attend to-morrow at 8.—One of the doorkeepers is sent with Tender to enquire at Cattaway's house where Cattaway is.—*Catherine Boateman* (sworn) says: I never carried nor know of any letters or cabinets or boxes out of doors since my master went away. There have been two or three trunks carried away that belonged to Mrs. Roper, which have been searched at the Council Board. I have seen L. Powis there. I have heard that L. Arundell and L. Bellasis have been there. She withdraws.—*Mary Gibbins* (sworn) says she waited on his daughter; that she is a Catholic; that she knows not of any writings, boxes nor bundles that have been carried out of the house since her master went away. She has seen L. Powis and L. Arundell at her master's. I remember not that L. Powis ever dined there. She withdraws.—*Frances Wynn* (sworn): says she was cook to Mr. Coleman. I know of no trunk that has been carried from the house save one which was searched at Whitehall. She withdraws.—*Mary Gibbins* (called in again) says her father rides in the Guards, that he is a Protestant, but her mother is a Papist; that she herself was always a Papist. She says she has been several times at confession, with several men, but with none of late. She confessed to Mr. Browne last at St. James'. I know no more of their names. She withdraws.—*Anne Matthews* (sworn) says she was housemaid. That she has always been a Catholic. I know not of any cabinets nor trunks carried away, save the cook's and Mrs. Roper's. I never heard where my master lay that night that the coachman set him down in Lombard Street. I went to Mr. Browne to confession in Warwick Street, near Charing Cross. I have lived with Mr. Coleman about three quarters of a year. I have heard that my L. Arundell and my L. Powis have been at my master's. She withdraws.—Ordered, That the House be acquainted with what Mr. Boateman has said concerning conveying letters to his master since he was in custody, and that the direction of the House be taken therein. *Ordered*, That Playford and Herald, who now attend, attend to-morrow again.

7 Nov.—*Mrs. Coleman.* [L. J., XIII. 339] is called in, as also *Jerome Boateman.—Mrs. Coleman* disowns that she remembers that Mr. Boateman gave her any letter for her husband since his confinement. What Mr. Boateman said yesterday in this particular was read to him now. They withdraw. *Ordered*, That this business be reported.—*Richard Playford*, Mr. Coleman's nephew, is called in; says he has sometimes carried letters for his master into Smithfield to the Post-house, to go into the country. He knows not to whom the letters were. I cannot remember that I have carried any letters to any particular persons. He withdraws.—*William Harreld* (sworn) says that he has carried many letters to several places for Mr. Coleman, but he remembers not to whom. He is a Catholic. Says he never carried letters to the E. Powis, L. Petre, Mr. Ireland, Fenwick or White. He has been at Mr. Langhorne's chamber. He withdraws.—*Mr. Gilbert Whitehall* is called in, but not being sworn he is ordered to attend the House to be sworn, and to attend the Committee at the next meeting.

8 Nov.— *Gilbert Whitehall* (sworn) says that Mr. Coleman lay at his house the night before he surrendered himself. He came to him about 10 o'clock in the night. He told me his mother being very sick

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in Aldermanbury, her house was unpleasant, so he came to sit with me a while. I asked him to stay all night, which he did, and before I came in in the morning, having occasion to go abroad early, he was gone from my house. I have sometimes received 50*l.* or 100*l.* for him, and paid the like sums for him, but never any greater sums. He left no papers with me, nor showed me any. He withdraws.

16 Nov. — *Ordered*, That Sir Joseph Williamson, one of his Majesty's Principal Secretaries of State, Mr. Attorney General, Sir John Nicholas, Sir Robert Southwell, Sir Phillip Lloyd, Sir Thomas Dolman and Sir Samuel Morland, be and are hereby desired to be present with their Lordships on Monday next a little before 9 in the L. Privy Seal's lodgings near the House of Peers.

18 Nov. — *Sir Robert Southwell* says that 18 of Coleman's letters were put in his hands. That they have been before your Lordships; also the 15 answers, which your Lordships have returned to the King, and his Majesty has transmitted to the Commons. 16 of Mr. Coleman's letters to the Internuncio, and 15 of the Internuncio's to Mr. Coleman; also 2 others of Mr. Coleman, one whereof, to Le Ferrier, the other to Sir William Throgmorton, written in French, in order to be shown Monsieur Pompone. These letters are supposed to be before the House of Commons.—*Sir John Nicholas* says he has received from the Commons Mr. Coleman's letter of 29 Sept. 1675, and another letter immediately after it, without date, and Le Chaise's letter acknowledging the receipt of it. [Dated Paris 23 Oct. 1675. Marked "*Lecta pro Rege.*" *Treby*, Part I., p. 117], which letters he has delivered to Mr. Secretary Coventry.—*Sir Thomas Dolman* says there were 55 letters from St. Germain to Coleman. They are all deciphered and the most material of them were read before the Council. Supposed to be now with the Commons. They have been carefully translated by a Committee of the Commons, and I believe they will be useful to Mr. Attorney.—*Sir Philip Lloyd* says the Commons have letters from Cardinal Norfolk to Mr. Coleman. Some of them have been perused at the Council Table. I have not seen any letters from Montecuculi to Mr. Coleman. So all the Clerks of the Council say. There are two letters from St. Germain to Coleman, which are not deciphered, and are now in Sir John Knight's hands, viz^{t}.:—

Letter of 15 Oct.
Letter of 19 Oct.

Sir William Morland says one of the letters was brought to him. It consists of 500 or 600 ciphers, and is about 9 lines. He thinks this letter is of very great consequence. Mr. Speaker showed this letter to Coleman, and asked him the meaning of it. He said it consisted of two keys, his old cipher and his new, and without them he could not decipher it, but Mr. Speaker could not find the new cipher. *Ordered*, That Boatemen and Cattaway be and are hereby required to attend to-morrow at 9. *Ordered*, That Coleman be also sent for. *Ordered*, That the keys that are in Sir John Knight's hands be here to-morrow. *Mr. Attorney* says he is unskilful in the French language, so desires that some skilful person may be appointed to translate them, and appear at the trial to make good his translation. *Ordered*, That Mr. Blathwaite be desired to translate the letters, and assist Mr. Attorney in justifying the translations. *Ordered*, That he be desired to be here to-morrow morning, then to receive directions. *Mr. Secretary Williamson* says that none of the letters ever came into his hands, but were wholly in the Clerk of the Council's.—*Sir Philip Lloyd* says he delivered two

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letters to the Commons which came from Laborn, Cardinal Norfolk's Secretary, to Mr. Coleman. The *B^p of London* acquaints the Committee that there are many trunks of papers of Mr. Godwin's in the Clerks of the Council's hands, which are fit to be perused. *Ordered*, that the House be acquainted with it, and that they would please to give direction in it. [L. J., XIII. 361.]* *Sir Robert Southwell* delivers in an Extract of 33 letters between Coleman and the Internuncio, as also an Extract of the material parts of the said Extract, and the Key, by conjecture, to decipher the said letters. *Memorandum* in margin. That on the 21 November the E. Essex put this Extract into the bundle of Coleman's letters, and sealed them up in the bag.—*Sir Philip Lloyd* delivers in a List of Papers he has delivered to the Commons. *Ordered*, That the House be moved that a Guard may be sent to Newgate to bring Coleman hither to-morrow at 9. [L. J., XIII. 361.]

19 Nov. —— A letter from Sir Robert Southwell to Sir John Knight, dated 7 Nov. 1678, is read. *Mr. Coleman* is called in. He is showed the letter with ciphers. Asked whether he knows it, he says Yes. He says it consists of two ciphers, one marked 488, the other the common Key. I am ready to confess all the follies I have been guilty of concerning the State. I have already confessed that which will destroy myself. I have told everything that I know concerning the Plot, as I hope for salvation. Monsieur Columbiere had my nephew about six weeks; he dismissed him before I was imprisoned. He had a mind to learn English . . . . . *Ordered*, That the Clerks of the Council have notice not to send Godwin's trunks of Papers to the Committee this morning, for that their Lordships would give directions in it to-morrow.

20 Nov. —— The *E. of Essex* acquaints the Committee that Sir John Nicholas has delivered him Coleman's letters, viz^t. :—

Cardinal Norfolk's letters.
Sheldon's letters.
Leybourn's letters.
Coleman's letters to Gabriel, and Gabriel's to him.
Rice's letters.
One from Peter Talbot.
Throgmorton's letters.
Mons. St. Germain's letters.

A parcel of Papers of moment, 8 in number, but should be 11, three of them being with the L. Chancellor. [These three letters were afterwards given to the Attorney General. Minutes 21 & 22 Nov.]

5 letters to Bedingfield.
9 ciphers, and
2 letters.

The *E. of Essex* having compared the bundles of letters as to their numbers, and sealed them up in a Bag, the Clerk is directed to sign the Lists, and to deliver the Lists back to Sir John Nicholas.—*Mr. Blathwaite* is present, and desired to be here again at 4.

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* The further entries as to Godwin's papers are as follows :—22 Nov. Ordered that the Clerk sign orders to authorise two such persons as E. Shaftesbury shall name to examine Godwin's Papers. 23 Nov. Ordered, That Mr. Edward Smith and Mr. John Hoskins search Godwin's Papers, and that one of the Clerks of the Council assist.

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Eod die. p.m.—Cardinal Norfolk's letters to Coleman are begun to be read, viz.:—

*i. 4 Jan. 1676. [*Treby*, Part I., pp. 78–79.]

ii. 8 Feb. 1676. [*Ib.* pp. 79–80.]

iii. 1 March 1676. Sent by an Express. *Memor:* Mr. Colcman to be examined who the Messenger was. [*Ib.* p. 81.]

iv. 14 March 1676. *Proposes a Barony to be got of the King for him to get money for . . . . Despairs not of getting a pension from Rome for the Duchess's Secretary.* [*Ib.* pp. 81–85. Lecta pro Rege.]

v. 24 March.† [*Ib.* p. 88.]

vi. 20 June. *Rejoices that the Duchess will write to the Pope. Takes notice that there is and has long been a Bishop for England. That they intended to send him with others when due time will be.* (*Marginal note:* This confirms Mr. Oates.) [*Ib.* 89–90.]

vii. 21 Sept. (*Marginal note:* Q^r Whether not in 1677?) [*Ib.* p. 93.]

viii. 18 April 1676. *The Pope desires not the Duke to declare himself a Roman Catholic rashly and unadvisedly . . . . Takes notice that he is now the Queen's Servant.* [*Ib.* pp. 85–87. Lecta pro Rege.]

ix. 16 May 1676. [*Ib.* p. 89.]

x. 5 Sept. 1676. *Noted.* This letter is signed J. Leyborn. [*Ib.* pp. 91–92.]

The following letters from Leyborn to Coleman are read,‡ viz^t:—

i. 10 July. [*Ib.* p. 95.]

ii. 1 Jan. 1678. [*Ib.* p. 96.]

iii. 18 Dec. 1677. [*Ib.* p. 96.]

iv. 28 Nov. [*Ib.* p. 96.]

v. 20 Nov. Takes notice of a Brief sent to the Queen from the Pope by an Irishman, who delivered it to the Lady Fingall. [*Ib.* p. 96, where, however, the name "Fingall" is omitted.]

vi. 11 Sept. 1677. [*Ib.* p. 96.]

vii. 23 June 1677. [The summary identifies this with the letter of 5 June, *ib.* p. 94.]

21 Nov.—The following letters are read, viz^t:—

24 July. From Leyborn. [*Ib.* p. 95.]

27 July 1677. From Cardinal Norfolk (*Noted* as important). [*Ib.* p. 91.]

20 July. From Leyborn. *Noted* nothing of moment. [Probably the letter of 30 July, *ib.* p. 95.]

16 July. From Leyborn. [*Ib.* p. 95.]

9 July. [*Ib.* p. 95.]

25 June. [*Ib.* p. 94.]

1 Oct, 1678. From Leyborn. *Noted.* Nothing in this letter. [*Ib.* p. 96.]

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* Summaries of most of the letters which follow are given in the Minute Book and serve to verify the references to Treby, which in other cases, can be determined only by the dates of the respective letters. The italics indicate the portions of these summaries marked as important.

† The summary identifies it with the letter printed in Treby and dated 2 May, the postscript of which refers to a letter of 24 March; whence, obviously, the Clerk's mistake of the date.

‡ Nos. i. ii. iv. v. and vii, are marked in the margin as important.

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29 May. *Noted* as important. [*Ib.* p. 94.]
8 Oct. *Noted* nothing in it.
6 August. [*Ib.* p. 95.]
20 August. *Noted* nothing in it. [*Ib.* p. 96.]
17 August. Says the Duke's letter to the Pope miscarried. Desires a duplicate to supply it. *Noted* as important. [This is the letter of 17 April, *ib.* pp. 93–94.]
30 April. The L. Arundel is written to, to get Platt out.
13 August. [*Ib.* p. 95.]

Ordered, That the House be moved that Coleman's trial may be put off for some few days longer till all the Papers be abstracted.—An Abstract of St. Germain's letters, made by Sir Philip Lloyd, is read, and put in the bundle among his letters.—An Abstract of Father Sheldon's letters, made by Sir Philip Lloyd, is read, and put in the bundle among his letters.—Abstracts of Coleman's and the Internuncio's letters, made by Sir Robert Southwell,* are read and put in the bundle.

A letter to L. Clifford, without name, is read.
A letter to William Penn, begun to be read.
A letter of 17 Aug. 1675 from Peter Talbot to Bedingfield is read.
A letter to "My Lord," without name or date, is begun to be read.
A letter of† 24 March 1674–5 from Rice [*i.e.* E. Berkshire]. Mentions "Trees" and "Gardeners," which may be "Kings" and "Governments." [*Treby*, Part I., pp. 103–4.]
A letter of 26 Nov. 1674 is read, of the same nature.
A letter of 20 Nov. 1674 of William Rice's is read. [*Ib.* pp. 101–2.]
A letter of 10 Sept. from Rice is read.
A letter of 17 Sept. Subscribed, Rice Williams. [*Ib.* p. 98.]
A letter of 28 Jan. 1674 read.
A letter of 15 Nov. 1674. Signed W^m^ Rice, read.
A letter of 23 Jan. 1674–5 is read.
†A letter of 20 Oct. 1674. The "Lady" is supposed to be the Duke. Says nothing can save us but throwing off the mask. *Memorandum:* This letter is the most material of Rice's letters. [*Treby*, Part I., pp. 97, 99–100.]
A letter of 11 April 1675 from Rice is read.
†A letter of 7 March 1674–5 is read. *Marginal note:* This letter is material but very obscure. Deserves to be considered. [*See* Treby, Part I., p. 97.]
A letter of Sir W. Throgmorton of 1 Sept. 1674 begun to be read.
Ordered, That Mr. Attorney be desired to be here to-morrow morning. [In the House this day, E. Essex [the Chairman] moved that the Committee might have further time allowed them till the 23rd for the inspection of Coleman's papers. M.S. Min. 21 Nov.. No entry in L. J.]

22 Nov.—[The proceedings at the morning's meeting, relating to Papers already noticed, are given in the notes above.]

Eod. die p.m.—*Mr. Stringer* delivering in a Paper from Mr. Oates containing 10 Articles against Coleman, which he says Mr. Oates will prove against him, it is *Ordered* That Mr. Attorney be desired to be here to-morrow at 8, and that Mr. Oates be here at the same time.

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* A memorandum at the afternoon sitting of this day adds, "That it be considered to-morrow morning which of the Internuncio's letters that Sir Robert Southwell has abstracted, shall be translated."

† The Committee on the 22nd ordered that the House be moved to read these three letters.

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HOUSE OF LORDS MSS. 1678.

Ordered That M. Winchester be desired to go to Mr. Attorney General, and show him the Paper of Mr. Oates' evidence against Mr. Coleman, which is produced unto their Lordships this afternoon, to consider if these matters may be given in evidence upon the Indictment now found against him, and to let him know their Lordships' desire he will be with them to-morrow morning at 8 at the L. Privy Seal's lodgings, where Mr. Oates is ordered to attend at that hour and place to inform him how the particulars in this Paper will be made good. Mr. Attorney is also desired to bring a copy of the Indictment with him. The said 10 Articles are delivered to the Marquess of Winton to show Mr. Attorney.

23 Nov.—Abstracts are made of such letters as are given to Mr. Attorney, which Abstracts are also delivered him with the letters, viz^{t} :—

4 letters of moment translated.
5 of St. Germain's letters.
7 letters of Cardinal Norfolk and Leyborn, his Secretary, with a cipher to them. [*Treby* prints Cardinal Norfolk's Key (Part II. pp. 26–27), and also Leyborn's Cipher and Decipher (*ib.* pp. 28–34).]
4 letters of Coleman's to the Internuncio, and 1 of the Internuncio's to him.
2 letters of Sheldon's.
4 letters of Throgmorton's, with transcripts of them among other letters.
Oates' Deposition.
Bedloe's further Examination.

Memorandum: That St. Germain's 5 letters, and Coleman's 4 letters to the Internuncio and 1 of the Internuncio's to Coleman are (at Mr. Attorney's desire) delivered to Sir Robert Southwell (now present) to translate, who is to deliver them and the translations to Mr. Attorney. —The 8 ciphers are also delivered to Sir Robert Southwell, and one other cipher afterwards.—*Marginal note:* The same day in the afternoon Mr. Blathwaite had the Cipher to the Internuncio's letter delivered him.—*Mr. Attorney* says the Indictment is so drawn that the 10 Articles sent in by Mr. Oates last night may be spoken to. The Indictment is read. *Mr. Oates* is called, and the Clerk and all others except the Lords and Sir Robert Southwell are commanded to withdraw. The Clerk after some time is called in.*

4 Dec.—The bag with Coleman's letters is fetched over . . . . . William Rice's letters are read, and so are several of St. Germain's letters to Mr. Coleman.

5 Dec.—The Abstract of Cardinal Norfolk's letters is read.—The letters that Mr. Attorney had against Coleman's trial, are brought back by Mr. Stringer, and being compared with the List of them that was entered in the Clerk's book, when they were delivered to Mr. Attorney and Sir Robert Southwell, one of St. Germain's letters is wanting, which was delivered to Sir Robert Southwell, and 7 of the ciphers. *Mr. Stringer* is directed to go to Sir Robert Southwell to enquire for the said letters and ciphers. *Memorandum:* That the E. of Essex has 20 of the Papers that are entitled "Papers that have dark expressions

* Coleman was tried on 27 Nov. and sentenced the next day (Howell's State Trials, VIII.). On the 30th, a petition of his, after his condemnation, was "begun to be read, but in the reading thereof, laid aside." (M.S. Min. 30 Nov.). This Petition is not among the records.

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in them," and the E. of Shaftesbury has 13 more of the said Papers, which their Lordships undertake to look over against to-morrow morning. . . . . *Memorandum:* That the E. of Shaftesbury has the abstract of Cardinal Norfolk's letters home with him. *Memorandum:* That Mr. Stringer has 47 letters of Sir W. Throgmorton's, together with the cipher,* and 73 letters which seem of no great moment, as expressed in the said cipher: out of which letters he is to extract what relates to any of the Lords now in prison.

6 Dec.—*Mr. Blathwaite* brings in the ciphers and that Paper of St. Germain's which was wanting last night, and has a receipt for them and all the other Papers that Mr. Attorney had against Coleman's trial.

7 Dec.—*The E. of Essex* brings in the 20 letters delivered him the 5th inst. to abstract. *The E. of Shaftesbury* also brings back the 13 Papers delivered him to abstract. *Mr. Stringer* also delivers in the letters delivered him to extract at the same time.

9 Dec.—*Ordered*, That all the Clerks of the Council be here to-morrow at 9.

10 Dec.—The Bag with Coleman's Papers and all other Papers that were delivered in by the Clerks of the Council (except 5 letters directed to Mr. Bedingfield, which were delivered by the E. of Essex to the L. Chancellor, and which are not yet returned to the Committee) are brought over, and the Clerk is directed to count the said Papers to Sir Thomas Dolman and to deliver them. . . . . *Sir Robert Southwell, Sir Philip Lloyd*, and *Sir Thomas Dolman* are present, and voluntarily take their oaths (six Privy Councillors being present),—*Sir Philip Lloyd* says that he has a small bundle of news letters from Leyborn to Coleman, and no other Papers to or from Coleman or any other person that has been seized; and that he has delivered all papers that have come to his hands to the Lords or Commons, except some idle letters that have been intercepted, which, it may be, he has thrown away; and that he has delivered none to any other person whatsoever, nor burned nor destroyed any that he could judge to be of any moment.—*Sir Robert Southwell* (sworn) says he knows not of any papers or writings, relating to Mr. Coleman, which have not been before their Lordships or the Committee of Commons, nor has any now in his hands except three papers relating to Foreign Plantations, the Articles of Marriage of the late Queen, and the Book called The Secret Polling of the Jansenists, which the Committee of Commons lent him to peruse. And he further says that at a Committee of the House of Commons there are in Coleman's speckled bag four or five bundles of letters directed to the Duchess, and also in the canvas bag four or five letters directed to the Duchess, tied together, and that he saw not one Book of Entry of letters, and he knows not of any other papers or letters of Coleman.—*Sir Thomas Dolman* (sworn) says that he has no papers to or from Coleman in his hands, nor knows of any which have not been delivered to the Lords or Commons, and that now only one letter, supposed to be written by Peter (now in Newgate), with some papers to prove his handwriting, and a letter written from one Anderton at Rome, concerning Patents, are in his custody; and that all other papers concerning the Plot that have come to his hands he has always returned to the Clerks of the Council in waiting.—He is desired to send Anderton's letter to the Committee to-morrow morning.†

* Sir W. Throgmorton's key is printed in *Treby*, Part II. p. 28.

† An entry of 12 Dec. in Vol. II. (No. 54). adds:—The Letter from Ch. Anderton, dated 5 Feb. 1676-7, to Mr. Harcourt, which speaks of Patents sent, etc., which Sir Thos. Dolman delivered in the other day, is read and given back to the E. Essex to deliver to Sir Thos. Dolman again to put up with Coleman's and the other Papers.

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Sir Philip Lloyd informs the Committee that Sir John Nicholls [Nicholas] is out of town . . . . . Received 10 Dec. 1678, of John Relfe, all the Papers which were delivered to the Lords by the Clerks of the Council, except five directed to Mr. Bedingfield in Windsor, which were delivered by the E. of Essex to the L. Chancellor, and two of Throgmorton's letters, which are either misplaced or missing. I say, received the said Papers. Thomas Dolman.

11 Dec. — *Sir John Nicholas*, sworn by M. Winton, says he was not in town when the Papers of Mr. Coleman were seized, and that he delivered to this Committee all Coleman's Papers that came to his hands from the House of Commons, and knows of no more.

(*Suspicious Persons at Gravesend*).—26 Oct. His Royal Highness delivers in a letter from Mr. Pierce to Mr. Pepys concerning a suspicions person being gone out of England from Gravesend in a Pink into the Downs. Mr. Pepys is called in, and desired to acquaint one of the Secretaries with it, and to desire him to send to the man at Gravesend where he left his horse to lay hold on whosever shall enquire after the horse.

(*Vaults under the House.*)—28 Oct. *Sir Edward Rich* informs the Committee that he has had for some time an apprehension that both Houses of Parliament are to be blown up this morning. In the first place he desires that Mr. Wynyard may be secured; secondly, that a beggar at the Great Door, whom I imagine to be a person of quality, may be secured. He desires he may have the usual safeties of other persons. It is *moved* that the King may be desired not to come hither this morning. The E. Manchester is sent to the King with the request of the Committee, That Mr. Ravenscroft, a Glassman at Savoy, may be secured. He withdraws. *Mr. Wynward* informs what tenants are under the Prince's lodgings. *Sir Edward Rich* informs that the beggar is taken, being as he informs, an Irish Earl's son. The Committee direct Sir Edward Carteret to search under all the rooms for gunpowder, etc. and give an account. To report that the Committee are of opinion that the rooms under the Court of Requests should not be storehouses for timber. [*See* L. J., XIII. 305–6, to which the MS. Min. of the 28th add as follows: The Usher of the Black Rod gives the House an account of his search in all the rooms under and near the Parliament House. The King is sent to by E. Mulgrave, etc., to let his Majesty know the House and rooms have been searched, and no danger (as was apprehended) is therein.]—1 Nov. Sir Ed. Carteret informs the Committee that several housekeepers about the Palace did on Wednesday night last [30 Oct.] hear great knocking late in the night for several hours; they suppose in some cellar underground, but know not where, though they all agree in the time. He has searched very strictly, but cannot find where it was. *Ordered* that the House be acquainted with it by the Chairman. [L. J., XIII. 331. The entries that here follow record the proceedings of the Committee of Enquiry.] *Eod die.* p.m. E. Essex in the Chair. Sir Ed. Carteret repeats his information as to the knocking, and adds that Sir Thomas Nott, Mr. Hambden and Mr. Vigers heard it in their several lodgings. Ordered that *Sir Christopher Wren and** Mr. Hugh Maio make very strict search to-morrow morning and that the officers of the Ordnance do also attend with their bores. Sir Jonas Moore is called in, and acquainted by the E. of Essex with the knocking. He says he has brought Mr. Linger, an excellent workman, who shall search this night, and he will also assist him, and will search further to-morrow morning with Mr. Hugh Maio, whom the E.

* These words in italics are struck through.

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of Essex has undertaken to send to be here early to-morrow morning. His Grace the Duke of Monmouth has undertaken to send sentinels to watch this night. Ordered, that Sir John Cotton be desired to cause all his coals and faggots to be removed that lie in the cellars under the Painted Chamber or any of the rooms near thereunto, for the better searching the said places.—2 Nov. Sir Jonas Moore and Sir Christopher Wren are called in. Sir Jonas says: We have searched all the cellars, and removed Sir John Cotton's coals. I have spoken with the several persons that heard the knocking. We set guards near Mrs. Haver's house, which I have also searched. *Sir Christopher Wren*: We have searched all the walls outside and inside. The walls are generally seven foot thick below. The walls are certainly very dangerous, there are so many secret places. *Sir Jonas Moore* says that it is very dangerous. That if any design mischief, it is but combining with any that live in the houses near the Houses of Parliament, and it may be done in twenty-four hours without the least suspicion. The watch heard the noise. Your Lordships cannot sit safe unless you keep a guard in the entries and Court of Requests. There are vaults all along from the Thames through Westminster Hall, and there is the great danger. There is no security in my opinion here. Ordered, that Sir Christopher Wren and Sir Jonas Moore view the rooms in Northumberland House, and see whether there may be conveniences there for the sitting of both Houses and how soon they may be ready. The said order suspended till further order. Ordered, that they search the vaults that go to the Thames; which they promise. That it be reported to the House that the several houses and cellars under or near the House be cleared of inhabitants, that the said cellars be laid open to one another, and that sentinels walk day and night there, and have a trusty officer to oversee them. [*See* L. J., XIII. 335.]

(*Neffo.*)—30 Oct. *Mr. Snow* informs the Committee that Mr. Secretary gave him a warrant to search Mr. Neffo's house for arms and suspicious persons, but he found neither. That they seized some papers. That Mrs. Neffo said she had often told her husband that she thought he might as well keep a coach as Mr. Coleman, having deserved as well from the King. That Mr. Neffo seemed cheerful while we were searching, but at our coming away, the tears were in his eyes. I sealed up the papers in his scriptore, and brought away the key, but read none of them. Ordered, That Mr. Walker and Mr. Snow go immediately to Mr. Neffo's house in Leicester Fields, and seal up the papers and bring them to the Parliament Office. [*See* L. J., XIII., 311, 334.]

(*Peter Talbot.*)—30 Oct. The following papers are read, viz^{t}: Order in Council, dated 30 Sept., sent to the D. of Ormond; A letter from the L. Lieutenant and Council of Ireland, dated 19 Oct. 1678, to Mr. Secretary Coventry; The Examination of Peter Talbot, taken 15 Oct. 1678; the second and third examinations of Peter Talbot, taken 16 Oct. 1678; the Examination of Andrew Beringham, taken 15 Oct. 1678; the Examination of Nicholas Netterville, taken 17 Oct. 1678; the second Examination of Nicholas Netterville, taken 18 Oct.; the Proclamation for banishing Priests, dated 16 Oct. 1678.—6 Nov. *Sir Philip Lloyd* delivers in a letter from the Council in Ireland to Mr. Secretary Coventry concerning Peter Talbot.—7 Nov. A letter from the Council in Ireland to Mr. Secretary Coventry concerning Peter Talbot, dated 23 Oct. 1678 and directed to Mr. Secretary Coventry, and brought hither yesterday by Sir Philip Lloyd, is read and ordered to be returned him again. *Memorandum* in margin by Clerk: That I delivered the said letter back to Sir Philip Lloyd in the Prince's Lodgings on 8 Nov.

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(*French Gazette.*)—7 Nov. Order of the House of the 6th inst. read (L. J., XIII. 339). Ordered that the translator and licenser of the French Gazette attend to-morrow.—8 Nov. The Committee being acquainted that the translator is in the custody of a Messenger of the House of Commons . . . . . [No further entry. *See* C. J., IX., 533–35.]

(*Choqueux's Fireworks.*)*—12 Nov. Ordered that Major Beckman and Mr. Leake, a Master gunner, attend at 12.—*Eod. die* p.m. Ordered that Major Beckman, Capt. Copley and Mr. Leake bring an account of what quantity of cartridges there are in Choqueux's house, and that they bring one of each sort on Thursday.—14 Nov. Beckman, Copley, and Leake deliver in the account, viz^{t}:—

Found in the Garrets.	Empty Rocket cases	6,194
	Empty Serpents	10,400
	Empty Port-fires	2,478
	Fixt Port-fires	118
	Empty Cases 24 inches long and about 3 inches diameter	47
	Empty more of 16 inches long, about 2 and a half diameter	50
	Empty Rocket cases 11 inches long, about 2 diameter	16
	Water balloons, unfixt	25
	Do. fixt	1
	Fixt rocket of 6 ounces weight	45
	Fixt ditto of 4 ounces	25
	Fixt Trunk	1
	Unfixt Trunk	1
Fireworks in the Room below.	Two Chests.	
	Empty Serpents Cases	6,450
	In the first Chest, composition for firing off serpents 12 lb. prest.—The second chest is 4 ft. 4 in. long, 2 ft. high and 2 ft. broad, full of Port-fires, Rockets and Trunks, fixt but so decayed that we could not handle them.	

Capt. Copley says the cartridges, etc., have been in Choqueux's custody ever since they were first found. I left a guard upon the house, which I searched first. *Major Beckman* says he found no guard there when he went to view the cartridges.—They produce one of a sort of the said cartridges, etc. One of them is opened. *Mr. Holford*, called in, says when he used to make serpents for one Gunpowder Treason Day, he could never find them good the next 5th of November. *Major Beckman* says the composition, if it be laid up dry, may last above fifteen years. I believe these were made for recreation and not for mischief. *Mr. Leake* says he has made many of these rockets. He never made any that he could keep above three or four years. These may do mischief; so may

* Anthony Choqueux, as appears from an affidavit of his in L'Estrange's pamphlet "The Shammer Shammed" p. 18, was a Surgeon in the Savoy. His house was ordered on 8 Nov. to be searched and a guard set on it (L.J. XIII. 343). He was examined at the Bar the next day (*ib.* 346), and on the 11th this Committee was appointed to inspect and try his cartridges, etc. (*ib.* 348), on a motion being made for further enquiry into the matter, "many people being unsatisfied" (MS. Min.). L. Gerard of Brandon was chairman at their first sitting, and afterwards the E. Shaftesbury.

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he empty ones that we have brought your Lordships. *The L. Butler of Moore Park* acquaints the Committee that there being a report that a great many manacles were found in Somerset House, his Majesty sent him to see them, etc., but his Lordship found none there; but in Choqueux's house he found about 200 of these things called manacles, two of which he now produces. *Mr. Choqueux* is called in. Says he has kept these fireworks eighteen years. That he brought those that were full from France, and those that are empty he prepared against the King might have occasion for them for any show; and that Mr. Reeves has a patent for lights, and that these things called manacles were made for him to screw the candlesticks to; and that he lay in his house formerly, and they are his. *Beckman, Copley,* and *Leake* are ordered to take Mr. Halford with them and try those they have brought, and give an account to-morrow of them, as also whether they believe they were made eighteen years since. *Ordered,* That the House be moved that a guard may be set upon Choqueux's house till the cartridges, rockets, etc., be removed to the Tower (L. J., XIII. 358.)—15 Nov. Beckman, Copley, and Leake offer a certificate, which is read, stating that they have tried some of all the fireworks, as ordered, and that all the composition (even of those whose papers and cases were rotten) burned very well and fired, but the corn powder in most of them was much decayed; and further that all the fireworks in M. Choqueux's house, and those which they burned, were made only for recreation, and could not burn any house except they were filled with straw, hay, flax and brush faggots. 14 Nov. 1678. T. Beckman, L. Copley, Rich. Holford, Rich. Leake. *Ordered* to report that Choqueux may be rebuked publicly for keeping the cartridges in his house, and that something may be published to require any other person that has anything of this nature in his custody, to acquaint the Council with it within [blank] days. (L. J., XIII., 358.)

(*Zeal* v. *Sir F. Radcliffe.*)—22 Nov. The L. Privy Seal delivers to the Committee a letter from John Zeal (late page to Sir Francis Radcliffe) to Mr. Secretary Coventry, dated 19 Nov. 1678, which letter he brings by direction of the Privy Council. [No further entry. *See* L. J., XIII. 372.]

(*John Grove.*)—23 Nov. The packet of letters directed to John Grove is read, and ordered to be reported as containing nothing material. [*See* L. J. XIII. 371, 383.]

(*Thos. Everton.*)—30 Nov. Samuel Barrow and John Pollard, being called in, say they have searched Thomas Everton's house in Cross Lane, by virtue of a warrant from M. Winchester, E. Shaftesbury and V. Halifax, upon information that there was a priest in the house, but that they found no man. [This entry is struck through.]

1675 (*Swedish Lutherans.*)—3 Dec. The papers belonging to the Swedish Lutherans, which were this day referred to the Committee, are perused, and nothing being found material in them, Mr. Smith the Constable, a Tobacconist who lives by the New Palace Gate, that seized them, is ordered to deliver them back to the Swedes. [The Swedes, who had been taken by Sorocold, were brought this day to the Bar. The Constable said he was employed by Sorocold, who had a warrant. He seized their books, but not their linen. Ordered, That they be discharged without paying any fees, and that their books and other things be restored to them. Sorocold, being asked as to his behaviour, says the woman of the house where he was told him the writings belonged to the Italian players. He is warned to meddle no more, and his present warrant taken from him. Ordered, That the Swedes' papers be perused

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this afternoon by the Committee, and the parties to attend there, and such papers as are fit, to be returned. (MS. Min. 3 Dec.)]

(*Smith* v. *Hoare and Beacon.*)—3 Dec. Mr. Hoare and Mr. Beacon are called in. Mr. Beacon says Mr. Hoare brought Smith, whom he did not know, to drink a bottle of wine with him. They drunk two or three bottles of wine, he says, and there was no person in the house while he was there but his own servants and children. My man waited half an hour at the door with a lanthorn to light him home, the door being all the time open. Sir Robert Hanson and Sir John Peake are present, and say Hoare and Beacon are very honest gentlemen, and good Protestants. Hoare says that if he said anything of blunderbusses to Smith, he meant it of a great glass that he used sometimes to drink his Majesty the King's health in. Sorocold called me a great rogue and offered to seize me, having a constable with him, which I thought, I being a Justice of Peace, he ought not to have done; and it is probable I might, having been drinking hard, say something to them which was not fitting, and which I ask your pardon for. They withdraw. After debate, Ordered that Mr. Smith attend on Thursday next at 4, and that Hoare and Beacon attend at the same time.*—4 Dec. Mr. Smith, Mr. Beacon, and Mr. Hoare are called in. Mr. Smith says the affidavit which he formerly made here, and which is now showed him, is true, and that he was not drunk when he was [with] Hoare and Beacon. Beacon says he was much in drink when he came to his house. Sir William Pritchard and Col. Osborne say that they have known Beacon long; that he is their neighbour, and a very honest man, and a good Protestant, as they believe. Mr. How says he saw Smith the same night that he came from Beacon; that he was much in drink, and had like to have fallen in the fire; and that he told him that he had fallen and broken his knuckles and was dirty, and that he led him home. Nath. Sharpe says he saw Smith that night, and that he was much in drink. They withdraw. The doorkeeper is sent out to acquaint them that they are discharged from any further attendance on this Committee.—An Order follows to that effect. [For previous proceedings, *see* L. J., XIII. 376, 379, 383, 384.]

(*Smith* v. *Nailer.*†)—4 Dec. Henry Smith, a soldier in Capt. Perry's company, sworn before M. Winchester as a Justice, says that he saw John Nailer, a reputed Popish priest, baptize a child of Mrs. Cox's at the Golden Dragon in Great Queen Street about six or seven years since, and he thinks he went then by the name of Carpenter, and that he was reputed to be priest to Sir Edward Gage. *John Nailer* owns he he is a Papist, but denies that he is a priest to Sir Edward Gage. *Ordered*, That the books found in his lodgings be conveyed to the Bishop of London, to be disposed of according to law. *Thomas Phillips*, Sergeant to the E. Craven, says that he and others found the beads and books. He draws up his affidavit, in writing, which is delivered to Mr.

* The words first written, and afterwards struck through are, "Ordered to report that the Committee are of opinion that it is fit to discharge Mr. Hoare and Mr. Beacon from their present restraint."

† 4 Dec. *Ordered* that the persons who have seized and given to their Lordships an account that they have found several trunks and boxes of books, beads, crosses, pictures, and a silver chalice in the houses of Mary Westby and Edward Billington, and Spike be required to carry the same to the Bp. of London, to be disposed of according to law.—12 Dec. Mr. Tizard, the Undersheriff of Middlesex, is present, and desires the books and plate that have been taken from priests may be delivered to him. Mem: That the Bp. of London be spoken to to deliver the chalice and the books that are not to be burnt, which have been taken from Papists, to the Sheriff of Middlesex.

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Stringer. *Mary Westby*, at the White Hart in Bloomsbury Market (sworn), says Nailer has lodged a week at her house. She knows not what religion he is of, nor of what she is herself, for she has not been at church these two or three years. *Ordered*, That Nailer be committed to the Gatehouse, and that the L. Privy Seal (who is present) be desired to do it. A copy of the warrant follows.—11. Dec. *Ordered*, That *Henry Smith*, who has discovered Francis Nailer *alias* Carpenter, a priest, who is now in the Gatehouse, be recommended to the Sheriff for such reward as His Majesty's Proclamation directs.—12 Dec. *Henry Smith* complains that he cannot have the 20*l.* for discovering Nailer. *Ordered*, That Mr. Attorney be spoken to about this business.

(*Smith* v. *Billington.**)—4 Dec. Henry Smith further says that in Edward Billington's house in Silver Street, Bloomsbury, he found many Popish books, beads, a chalice, etc. *Edward Billington*, sworn, says that Mary Westby brought a woman with her, and took a room in his house, and placed trunks and boxes there; but he knew not what was in them till now that they were searched.

(*Green* v. *Spike.**)—4 Dec. Henry Green informs the Committee that he has found several Popish books in Spike's house in Duke St.

(*Arms in Bp. of Winchester's House.*)—5 Dec. *Richard Gervais* is called in. He says he has heard George Osborne, a bricklayer, say that about a year since, he with another plastered up about 200 or 300 arms in the Bishop of Winchester's house in Chelsea. *Capt. Daniell* and *Mr. Richard Young* say that they heard Osborne say the same thing yesterday. Ordered, That Osborne attend at 3.—*Eod. die.* p.m. *George Osborne*, bricklayer, who lives in Hartshorn Lane by Charing Cross, is sworn by E. Clarendon and the Bp. of London, as Justices. Being asked whether he knows anything of arms being sealed up in the house, he says that about a year and a half since, when he wrought at the Bp. of Winchester's house at Chelsea, he was employed by one of the Bishop's servants, whose name he knows not, to seal up some arms into a garret; he supposes there might be about 200 muskets. Thomas Arnold, a bricklayer, assisted him. Believes he can go to the same room again. E. Clarendon is desired to write to the Bishop about this business, and desire his answer.—10 Dec. *Mr. Snow* is directed to take Osborne and Arnold, and search the Bishop's house for arms; he is not to search trunks or boxes, but may break down walls, ceilings, or doors, etc. [For further proceedings, *see* No. **54**.]

(*Finch, Archbishop of Tuam.*)—5 Dec. *Mr. Shadwell* is called in, and offers a narrative of what he remembers of the trial of the Archbp. of Tuam. It is read and he signs it, and swears to the truth of it before the E. of Clarendon and the Bp of London. The narrative is as follows:—"May it please your Lordships. In obedience to your order of the 2nd of December inst., I have (as well as I can recollect) reduced into writing the Informations of Martin French, an Augustine Friar, against James Lynch [Finch] the Roman Archbishop of Tuam, in the province of Connaught in the Kingdom of Ireland, taken

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by me at Galway as Attorney General to His Majesty for the said Province, when the Lord Roberts had the Government of that Kingdom, which followeth in these words or to the same effect, viz^{t}:—The said James Linch said to the Friar that King James declared himself a Roman Catholic under his hand and seal, which Declaration was in the Consistory of Rome till he came to the Crown of England, when he employed one to corrupt the Registrar of that Consistory and take it out, which being done, he caused the person so employed to be poisoned, for which he hangs in Hell. The Friar said that King Charles the First was kind to them of the Catholic religion, and did not put the Statutes in execution against them, and was a passionate lover of his Queen, a Roman Catholic, to which the said Bishop answered, Did he not die a heretic, and a declared enemy to the Catholic religion, for which he was righteously put to death? Then the Friar saying that our King that now is was a very good-natured Prince, and gave the Catholics great liberty, 'He' says the Bishop 'a good natured Prince! He is worse than any of them. How many families has he starved and ruined who gave him bread when he was abroad!'—'Well,' says the Friar, 'however, he is safe enough, he having an established army and guards to secure his person.' To which the said Bishop replied, 'Do not mistake yourself, for there was one of them (which of those I am not certain) who attended to have his heart's blood, and if it were not for the barbarousness of it, would drink it when done.' J. Shadwell. Jurat. 5 Dec. 1678 coram nobis, Clarendon, H. London." Ordered to report that Martin French be sent for into England for his security, he being in danger in Ireland by reason of his having accused the Archbishop of Tuam. (L. J., XIII. 402.) Ordered that Peter Ward attend at 4. [For further proceedings *see* No. **54**.]

(*Daniel Maccarty.*)—5 Dec. Ordered, That Mr. [Justice] Povey attend the Committee with the Examinations that he has taken concerning Daniel Maccarty, a priest. [No further entry. *See* L. J., XIII. 367–8, 392, 426.]

(*Sir Ellis Leighton.*)—5 Dec. Capt. Richardson acquainting the Committee that Sir Ellis Leighton desires he may be examined before he die, for that he is now sick. Ordered, That the House be acquainted therewith and their directions received therein. [*See* L. J., XIII. 336, 403, 407, and No. **19**.]

(*Thomas Moset.*)—10 Dec. Mr. Samuel Barrow is called in, and informs the Committee that he has taken 500 or 600 books and several pictures and wafers in Thomas Moset's house in Henrietta St., over against Mr. Staley's house in Covent Garden. Ordered, That he carry the said books &c. to the Bp. of London to be disposed of according to law.

(*Colvin, Pugh, and Fleming.*)—10 Dec. *Margaret Robinson* of Stephen's Alley, in King St., Westminster, says that she forgot when she was examined before Mr. Secretary, to say what she shall now acquaint the Committee with. That the night Thomas Colvin came home he took out from about his waist as many letters as filled his wife's glove, and gave them to his wife, and the next morning went abroad and did not return till night, and he was afraid, as he said, to come at night. He said all that came in the boat with him were searched except himself, and that he could carry any person safe to France at any time, and that his landlord, Fleming at Dover, came all the way post with him to London. Mr. Snow gives in a copy of Margaret Robinson's Deposition, which is read.—12 Dec. Mr. Secretary Coventry delivers in several

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papers of one Vaughan and others taken from Mrs. Fleming. Ordered that Mrs. Fleming attend at 4. [For continuation *see* No. **54.**]

(*R. Langhorne.*)—11 Dec. Capt. Richardson desires to know what he shall say to Rich. Langhorne, the Elder, who says he has been in prison nine weeks and nothing is said to him. The Committee tell him to direct a petition to be drawn, which is to be signed and presented to the House. [*See* L. J., XIII. 418, 421. *See also* Nos. **10,114.**]

6. Oct. 26. Popish Plot. (Five Lords in the Tower.)—Petition of William, Viscount Stafford, as follows :—

To the Right Reverend and Right Honble the Lords Spirituall and Temporall assembled in Parlyament.

The humble Petition of Will : Viscount of Stafford,

Giving your Lopps most humble thanks for your patiently hearing him in his place, and begging your Lopps pardon if he sayed anything to offend your Lopps. Sheweth that hee knowing that my Lord Chief Justice had according to the duty of his place, issued oute his warrant for the apprending of him, did render himself unto him, whereuppon his Lop sent him a Prisoner unto the King's Bench wher hee now remaineth. Hee is not able to to [*sic*] expresse unto your Lopps the greate affliction hee is in to lie under the accusation of so detestable a crime, how innocent soever he knoweth him selfe to bee, the which hee doughteth not but to make appeare unto your Lop and the whole world, by the grace of God, and that as hee hath had the honour to sitt as a member amongst your Lopps, though the unworthyest, so hee hath never had a tending
thought to so wicked an offence to God and man.

Your Petitioner doeth most humbly besich your Lopps, considering the great Load he is under, much greater then his ould age and weake mynd are able to beare, to have so much Compassion on him as to take such Course as your Lopps shall find fitt, that hee may bee brought to a Condition of cleering him selfe in the speedest way that may bee.

And your Petitioner shall allways pray for your Lopps propertys.

STAFFORD.

Holograph. Endorsed: "Delivered into the House but not read 26 Octob. 1678. Called for 30 Octo., but not read." No entry in L. J. or MS. Min. of 26 Oct., but the MS. Min. of the 30th state "the petition of the L. Visc. Stafford, lodged 26 Oct., is "called for, but in regard of the style not read." [The MS. Min. supplement the Journal narrative as follows: Oct. 25. V. Stafford spoke to vindicate himself from the Plot. The Chief Justice brought the sworn information with him, and on its being read, V. Stafford desired that Oates might be brought face to face with him. After he withdrew, the E. Clarendon acquainted the House that he had declared to him without doors that he would render himself.—Oct. 26. L. Petre said he had come out of the country that day, and knew nothing of any warrant against him, and when the Lord Chancellor had informed him of the charge against him, he utterly denied any of the matters charged, and, submitting himself to the King, withdrew. At the afternoon sitting, the L. Privy Seal moved that E. Powis be sent for and acquainted with the cause of his commitment, and it was ordered that he be not debarred pen, ink, and paper. —Oct. 31. An Order made for L. Petre's close restraint (L. J., XIII. 312), "until the examinations be passed."]*

* For further information derived from the MS. Min., *see* notes to papers below *passim*, the extracts being given in chronological order.

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Annexed:—

(*a.*) 1 Nov. Petition of Bridget, Lady Petre, wife of William, Lord Petre, now prisoner in the Tower. Being informed her husband is to be kept under a closer restraint, and fearing she may be debarred from coming to him, a favour she had not hitherto been denied, she prays to be admitted to be with him during his imprisonment, she being content to submit to such confinement with him as shall be thought fit.—Signed, "BRIGET PETRE." L. J., XIII. 332. [The House being informed this day by letters from V. Stafford and L. Bellasis to Mr. Secretary Coventry that they were close prisoners in the Tower, declared that they had given no orders to that effect.—Nov. 8. Ordered that his Majesty be desired that the Lords and others, prisoners in the Tower, may not be longer restrained to close imprisonment. *Noted* in margin: "Revoked." *Eod. die.* p.m. Upon information that the Serjeant-at-Arms hath in custody Thos. Plessington, Secretary to L. Bellasis, Ordered that the Serjeant-at-Arms carry him to the Gatehouse, there to remain in safe custody till further order. MS. Min. Nov. 1, 8.]

(*b.*) 9 Nov. Petition of William, Earl of Powis. Has been a prisoner in the Tower for fourteen days. Prays that a short day may be appointed for his trial. [Read this day in the House, but "nothing done on it, till the Lord Treasurer make his report, which will be satisfactory as to the desire of the petition." MS. Min. 9 Nov. No entry in L. J.]

(*c.*) 19 Nov. Petition of William, Earl of Powis. Among his papers, which were seized, and are now in the custody of the Clerk of the House, is a deed of Sir Charles Howard's upon the settlement of the lordship of Clann, which is now required from Petitioner against a trial between the parties concerned. (*See* No. **294.**) Prays that his private papers may be restored, whereby those that have confided in him may not be prejudiced. L. J., XIII. 364.

[The papers of the Lords were seized by a warrant from the L.C. Justice, who informed the House of their seizure, during a debate on 25 Oct. of a motion for the removal of L. Arundel and L. Powis from the Gatehouse to the Tower (M.S. Min.); and they were then ordered to be sealed up and brought into the House (L. J., XIII. 303). On 23 Nov. a Committee, which had been appointed on the 12th to prepare materials from Coleman's papers for use at his trial by the Attorney General (*ib.* 354), reported for leave to peruse also the papers belonging to the Lords, which were in the custody of the Clerk of the Parliaments. (Exam. Book 23 Nov.), and the House, on report, ordered accordingly. (L. J., XIII. 372.) The Exam. Book contains the following further entries:—25 Nov. The *E. Powis'* papers are perused, as well those deeds formerly perused by Sir Andrew Hackett by order of the House (L. J., XIII. 364), as the other trunk. Ordered to report, that their Lordships find nothing in the E. Powis' letters (*ib.* 378). *L. Bellasis'* bag of writings is sent for, and, having been perused in the morning and ordered by the House to be delivered to whom L. Bellasis shall appoint (*ib.* 376), they are delivered to Mr. Plessington.—27 Nov. One of the trunks containing *L. Arundel's* papers is searched, and several papers taken out and sealed up in a bag; and the trunks and bag are sent back to the Parliament Office.—28 Nov. The papers sealed up in the bag are sent for and perused again.—2 Dec. The trunk and bag are fetched over from the office. L. Arundel's servant

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delivers the key of the trunk, and has leave to be present while the Committee peruse the papers. He withdraws after sealing up the trunk with those papers which the Committee judge not material. The Committee peruse two papers taken out of the trunk, which are put into the bag and sealed up again.—9 Dec. The sealed up bag is fetched over again and opened. Mr. Thynn and Sir W. Hickman are present, and show an Order of the House of Commons, requiring them to wait on the Lords to desire such papers of them as may be made use of at the trials of the Lords in the Tower. The papers following were found in L. Arundel's trunks, to be reported to the House to be delivered them, viz^{t}.:

Five copies of Bills prepared for the Parliament.
Seven clauses (viz^{t} 6 in paper and 1 in parchment) to be added to Bills.
Two papers of accounts of payments to Latham Neale and Thompson.
A receipt from William Ireland.
Two receipts of Latham.
One receipt of James Corker.
Three receipts of Mr. Fenwick.
One receipt of Hills.

Ordered that the House be moved that the said papers may be delivered to the Commons. (L. J., XIII. 409.) Ordered, That Mr. Snow give notice to some of L. Arundel's servants to attend to-morrow with the keys of the trunk in the Parliament Office.]

(*d.*) 28 Dec. Report by E. Bridgewater and E. Essex of their examination of V. Stafford. L. J., XIII. 445. *In extenso.*

(*e.*) 25 March 1679. Report of Examination of the five Lords in the Tower, concerning the Pamphlets. (*See* No. **105.**) L. J., XIII. 475-6. *In extenso.* [Reported by E. Bridgewater this day, the paper being afterwards read to the House by E. Essex, who "gave a particular account of the answers made by the Lords." MS. Min. of date.]

(*f.*) 1 April 1679. Petition of Robert Appleton, Esq., for leave for himself and his accountant, John Gold, merchant, to visit L. Bellasis in the Tower, in order to adjust certain accounts depending between them. L. J., XIII. 493.

[The articles of impeachment against the five Lords (*see* No. **130**) were brought up on 7 April 1679; on which day, "the Commons being withdrawn, the articles are read again; upon consideration had thereof, it is ordered that the Lords with white staves attend his Majesty humbly to desire him to be pleased to appoint a High Steward for the trial of the Lords" (MS. Min. 7 April). In the Committee for Privileges, to whom the method of trial on the impeachment was referred (L. J., XIII. 501), the Attorney General was heard on the point of Stewards upon trials in Parliament, and said that in cases capital there was a Lord Steward or High Steward, but that in cases merely criminal the Lord Chancellor or Lord Keeper sat as Speaker without the title of Steward. After this the Committee ordered to report as in L. J., XIII. 503; and then adjourned to the 10th, to consider and adjust the rest of the ceremonies to be observed at the trials, and ordered Sir Christopher Wren to attend on that day. (Priv. Book 7 April: No further entry till 17 May.) — April 8. V. Fauconberg informs the House that L. Bellasis is so lame in his bed that he cannot possibly come to the

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Bar to-morrow. If he come not, the House will consider what rule to prescribe for him (MS. Min.)—April 9. It being moved that the proceedings of justice ought to be public, and that the doors may be open; upon consideration of what was done in the case of E. Stafford and the Archbishop of Canterbury, the question was put as in L. J., XIII., 506. Then, after the articles of impeachment had been read, E. Powis said he understood they were indicted as well as impeached, and prayed that they might not be doubly charged, but that the indictment might be taken off. Being told that the King may prosecute both ways, but will surely prosecute on the greatest charge, he prayed he might know what particulars he should be attacked in, that he might prepare for answers accordingly, not knowing how to apply himself to every particular in the charge. He prayed, the charge being long, that he might have a copy of the Articles, and a convenient time to answer, and copies of records and papers. The Lord Chancellor let him know that Counsel should be assigned, when names were given in, to plead in matter of law. E. Powis named Mr. Saunders and Mr. Holt, who were allowed. (He appears first to have suggested Serjeant Weston.) He prayed protection of the House for his witnesses. L. Arundel desired the same. E. Powis prayed liberty of access to records for their defence. L. Arundel prayed for some time after putting in answer to prepare for defence, and desired Mr. Saunders, Mr. Pollexfen, and Mr. Holt. V. Stafford repeated E. Powis' objection as to the indictment. He is told that he can be but once tried. He replies that, knowing nothing of the particulars already alleged, he observes a power reserved of new Articles. He is told he shall have further time to answer. He desires to know whether he shall bring or send his answer. He desires a convenient place for his witnesses, and that the witnesses against him may be so placed that he may see them face to face; also that his witnesses may be summoned, or else some will not come. He prays that all the Lords may be present at his trial. He desires to have Mr. Saunders and Mr. Ant. Keck; and that he may have recourse to the Journal Book, and to all depositions *pro. et con.* as in E. Bristol's case. L. Petre prayed a copy of his charge, and that Serjeant Raymond, Mr. Wallop, Mr. Saunders, and Mr. Bradbury [should be his counsel]. L. Arundel of Wardour hoped he should make his innocence appear. On these requests being taken into consideration, an Order was made, but afterwards expunged, that Serjeant Weston should be allowed to act as counsel for E. Powis if he could get the King's leave. Then the several Orders were made, as in L. J., after an Order to debate the matter to-morrow, and hear C. Justice North and the Attorney-General upon it, had been cancelled. Sir Thos. Skipworth and Mr. Saunders to act as counsel for L. Bellasis. The liberties granted to any of the prisoners to be granted to all. The swearing of the witnesses was left to the "constant practice of the law," and the Lords were to have the counsel they desired, leaving out Serjeant Weston. Then on the Order that the Lords should stand committed to the Tower, an addition, that they should "receive the Order on their knees," was cancelled.—On the 10th, it being proposed to consider the question of the impeached Lords taking copies of the records and Journals as was told them yesterday, upon debate of the nature of this liberty of taking copies out of the Journals, the same was left to be considered another time, and on the 12th it was decided that the Order of the 9th should stand as it was. MS. Min. of dates.]

(*g.*) 12 April 1679. List giving names of persons who visited the Lords in the Tower on April 10 and 11, all persons at present having free access to them, except Lord Aston. See L. J., XIII.

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483, 503. *Endorsed* as dated. [It includes visitors to Mr. Roper and Mr. Carroll.]

(*h.*) 14 April 1679. Similar list for April 12 and 13. *Endorsed* as dated.

(*i.*) 17 April 1679. Similar list for April 14 and 15. *Endorsed* as brought in this day. [It includes visitors to Lord Aston and Mr. Carroll.]

(*k.*) 16 April 1679. Answer of William, Lord Petre, now prisoner in the Tower, to the Articles of Impeachment of the House of Commons. L.J., XIII. 524. *In extenso.*

(*l.*) 24 April 1679. L. President's report of the Conference this day about the answers of the impeached Lords. L. J., XIII. 535. *In extenso.* [In the MS. Min. of date, the Commons are reported as being willing to limit the range of evidence to five years last past, instead of seven, as in L. J. and this paper. The Lords' Committee, to whom the Commons' objections were this day referred (L. J., XIII. 536), considered a precedent out of the book of the Abbot of Croyland, in Sir Robert Cotton's library, and also Weston and Gomein's case, 1 Ric. II. Selden's book fol. 14, and Mordaunt's case. (Com. Book 24 April.) Beyond this, no further proceedings are recorded, and the Committee do not appear to have reported.]

(*m.*) 25 April 1679. Answer of John, Lord Bellasis, now prisoner in the Tower, to the Commons' Articles of Impeachment. L. J., XIII. 541. *In extenso.* [L. Bellasis' first answer was received on the 15th (L. J., XIII. 517), the L. Privy Seal then acquainting the House of its receipt (MS. Min. 15 April). It was delivered back to him this day, and the above substituted in its place. On being brought to the Bar, he desired to be heard, and argued for making out his innocence, denying the particulars. In addition to asking to have Mr. Holt assigned him as counsel (L. J., XIII. 540), he requested to have copies of the examinations taken at the Council-Board and before the L. Chief Justice. After withdrawing, he was called back, and told that the House had decided that he could not have these copies; the House would not interfere in any way, but by law they could not be allowed him. It was then moved that the Lords be sent for and told what exceptions the Commons take to their answers.]

(*n.*) 26 April 1679. Answer of William, Earl of Powis, now prisoner in the Tower, to the Commons' Articles of Impeachment. L. J., XIII. 542. *In extenso.* [Substituted this day for his former answer (*see* L. J., XIII. 521.) by the Earl, after obtaining leave to consult with his counsel. Ordered that the L. President and E. Bridgewater prepare the entry to be made in this case. MS. Min. 26 April.]

(*o.*) 26 April 1679. Answer of Henry, Lord Arundell of Wardour, to the Commons' Articles of Impeachment. L. J., XIII. 542. *In extenso.* [Substituted this day for his answer of the 16th. L. J. *ib.* 524.]

(*p.*) 26 April 1679. Answer of William, Viscount of Stafford, to the Commons' Articles of Impeachment. L. J., XIII. 542. *In extenso.* [Substituted this day for his former answer. *See* L. J., XIII. 523.]

(*q.*) 29 April 1679. Petition of the five Lords praying that three witnesses on their behalf, namely, Christopher Townly, Henry

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Hall, and Daniel Gifford, whom they had sent for from abroad, and who had been imprisoned on suspicion of being priests, might be discharged. L. J., XIII. 545.

(*r.*) 29 April 1679. Indictment of Grand-jury, before the justices of Middlesex, 3rd December 1678, finding Henry, Lord Arundel of Wardour, guilty of high treason; with writ of *certiorari* annexed, making the indictment returnable by the justices to Parliament on the 12th April 1679. The justices named in the record of indictment are Sir Thos. Allen, Knt., Sir William Bowles, Knt., Thomas Robinson, Esq., Humphrey Wirley, Esq., James Dewy, Esq., Thomas Harriott, Esq., William Hempson, Esq., and Richard Gower, Esq.; and the names of the grand-jurors are Sir Stephen Langham, Knt., Sir Richard Blake, Knt., Richard Padyitt [Pagitt], Esq., Anthony Tredewy, Esq., William Goulston Esq., Solomon Bolton, Esq., Benjamin Donn, Gent, Laud Doyly, Gent., Henry Murrell, Gent., Richard Bent, Gent., Milo Mitchell, Gent., Henry Gerard, Gent., Samuel Jewell, Gent., George Read, Gent., Richard Bull, Gent., John Greene, Gent., Richard Edlin, Gent., John Angier, Gent., Richard White, Gent., Henry Woombwell, Gent., and Henry Gibbs, Gent. The writ is endorsed with a statement signed by Allen, Bowles, Robinson, and Hariot, that they return the indictment therewith. The whole is endorsed as brought in by Mr. Adderley this day; and elsewhere is written on the back. "William Bedloe, Titus Oates, Jur. in Cur. Billa vera." L. J., XIII. 546.

(*s.*) 29 April. Similar indictment, etc., against William, Earl of Powis. L. J., XIII. 546.

(*t.*) 29 April. Similar indictment, etc., against John, Lord Bellasis. L. J., XIII. 546.

(*u.*) 29 April. Similar indictment, etc., against William, Lord Petre. L. J., XIII. 546.

(*v.*) 29 April. Similar indictment, etc., against William, Viscount Stafford. L. J., XIII. 546.

(*w.*) 8 May 1679. Petition of the five Lords, except L. Petre, praying for longer time to prepare for trial, some of their witnesses being far away from town. [Read this day, and on debate it was proposed that oath may be made of the necessity of the persons to be summoned as witnesses, whose names were read from a list; and the day for the trial was ordered to stand as appointed (MS. Min. 8 May). L. J., XIII. 557 gives merely an order for the attendance of the witnesses named therein.]

(*x.*) 9 May 1679. Draft order putting off private business until the matter relating to the Lords in the Tower is despatched. L. J., XIII. 563. *In extenso.* [This day, post mer., the L. Chancellor acquainted the House with a petition of the five Lords to the King for copies of papers and examinations in the chest in the Council Chamber against them, on which petition the King desired the advice of the House. The petition was read, but upon consideration had thereof, and the nature of the said examinations, nothing was done on it. (MS. Min. 9 May.*) It is not among the records.]

* There is an order, afterwards struck out, that all Lords in town be summoned to attend to-morrow in their robes, and to give their daily attendance during the trial of the Lords in the Tower.

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(*y.*) 10 May 1679. Petition of William, Viscount of Stafford, as follows :—

To the Right Hon^ble the Lords Spirituall and Temporall in Parlyament assembled.

The humble petition of William, Viscount of Stafford.

Humbly shewing unto your Lo^ps that there are two Gentlemen, namely, Mr. Henry Varnon [Vernon] and Mr. Thomas Lane, both which hee conceeves to be materyall wittnesses at his Tryall before your Lo^ps, and he beleeveth they will not be there (they being both Justices of the Peace in Stafford Sheire) with oute your Lo^ps expresse order.

Your Petitioner therefore most humbly besicheth your Lo^ps to grant your order accordingly, hee averring unto your Lo^ps that hee did not know or thinke that theyre being at his Tryall would have beene requisite unto him untyll past nine of the clock yesternight.

And your Petitioner shall ever pray as in duty bound for your Lo^ps prosperetys.

STAFFORD.

[*Holograph.* *Noted* in Clerk's hand: Mr. Humfrey Mitton added to the same order. *See* next paper and L. J., XIII. 565.]

(*z.*) 10 May. Letter from R[alph] L[awson] to Lady Stafford. As soon as a return can be had, it shall be sent. Desires that his order may be renewed if possible; otherwise he believes he may find trouble. Elizabeth Eld and Ann her sister are sent for by a messenger upon Dugdale's account. When his Lordship has an order for witnesses, pray let Humphrey Mitton be inserted. *Endorsed.* For Mr. William Smith, at Tart Hall, by St. James' Park, London. [For Ralph Lawson, *see* L. J., XIII. 466, 666.]

(*aa.*) 10 May. Draft order for attendance of the following witnesses on behalf of the Lords, viz. :—Sir John, Sir Edward, Elizabeth, Anne and John Southcott, W^m Harrison, John Gambull, Rich^d Hayes, Dor. Worth, Humphrey Mitton, Earl of Castlehaven, Mervin Touchett, Thos. Plessington, Barbara Tompson, Anne Fownsome, Capt. Petus, Gilbert Sevin, Francis Du Sausey, Mich. Bedingfield, John Beyon, John Wilson, John Rigmaiden, Geo. Bedell, Sir Rich. Rainsford, Mary Messenger, Thos. Harris, John Porter, John Macquernesse, Rich. Warburton, Thos. Pearson Sen^r and Jun^r, Rich. Pearson, John Hatfield, Eliz. Hill, Mary Minett, Anne Tomley, Gwenne Evans, Anne Warburton, Rich. Powell, and Thos. Clift. Three papers, containing the names of the witnesses required, are appended hereto. *See* L. J., XIII. 565 and No. **168**.

(*bb.*) 10 May. Petition of the five Lords, as follows :—

To the Right Hono^ble the Lords Spiritual and Temporal, in Parliament assembled.

The humble Petition of William, Earl of Powis, William Viscount of Stafford, William, Lord Petre, Henry, Lord Arundell of Warder, and John, Lord Bellasis.

Humbly shew,

That whereas your Lordships have been moved that such examinations wherein any of your Pet^rs are concerned, which have been taken before the Lord Chief Justice (by whose warrant your Petitioners were imprisoned) might be added to the former order, which they humbly conceive was then intended

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they should have granted by your Lordships, but omitted to be expressed in the said order, whereby your Petitioners cannot have the effect of that order in what they are most concerned; and if it should be alleged that because none of those examinations will be made use of against us, and therefore we ought not to have them, we humbly conceive that upon this address we may prevail, because all such examinations as are to be made use of against us, are denied us, and therefore we presume your Lordships will not think it reasonable to deny us also both the one or the other.

Your Petitioners therefore humbly pray that the Examinations taken before the Lord Chief Justice or elsewhere may be added to their former order.

And your Petitioners shall pray etc.

WILL. PETRE. POWIS. STAFFORD.
HEN. ARUNDELL. BELASYSE.

[*Endorsed:* Not granted. *See* MS. Min. of date: No entry in L.J.]

[The report of the first Free Conference on Sunday, the 11th (L.J., XIII. 567) and the further proceedings of that day are thus recorded in the MS. Min. The L. President reported that the L. Chancellor managed the Free Conference on the Lords' part, to know what methods they insisted on, to be satisfied in. That Sir Wm. Coventry said that they came up only instructed to satisfy the Lords of the reasonableness of a Committee of both Houses to settle such matters, and instanced the precedent of the Earl of Strafford, and that the Lords were to shew why a Committee should not be appointed, that way being used before. That the way of a Committee of both Houses was the better way, because it was only to prepare, and nothing to be resolved, till both Houses were applied to. Mr. Swinfen said that a Free Conference was more dangerous than a Committee. They being not instructed, put it upon the Lords to send for another Free Conference, if they thought fit. While the House was upon consideration of this report, a message came from the Commons desiring a second Free Conference upon the subject of the last one, which the Lords agreed to. It being then moved that the L. Privy Seal and L. Berkeley might be added to the managers, it is ordered. Ordered, that the managers are not to urge at the Free Conference that this House has passed two votes against a Committee.

The Managers being come, the House adjourned during pleasure to go to the Free Conference, which being ended, and the House being resumed, the L. President reported what was offered at the Free Conference by the Commons, and particularly as to the point of a Committee being the better way than a Conference. Then follows, as in L. J., XIII. 567, the Order appointing a joint Committee, as desired, and the Message to the Commons acquainting them thereof. (MS Min. 11 May.)—The proceedings at this Joint Committee from 12th to 26th May are recorded as follows:—*

"12 May 1679. L. Chancellor in the Chair. The Orders of both Houses of the 11th inst., (L. J., XIII. 567, and C. J., IX. 620) appointing Committees of both Houses to meet to consider of propositions and circumstances in reference to the trials of the Lords in the Tower, are read.

* The extracts which follow are taken from a separate Book, entitled "Committees of both Houses," which contains also the proceedings relating to Sir Thomas Cooke and others in 1695.

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C. *Sir John Trevor* proposes that their Lordships would consider of a longer time for the trials of the said Lords.

Agreed. This proposition to be the last thing to be considered.

C. Propose and desire to see the Commission that is for the Lord High Steward, at these trials, as also some former Commissions of this kind.

L. The High Steward is but Speaker *pro tempore*, and gives his voice as well as the other Lords. It changes not the nature of the Court.

C. Desire to see the Commissions in the E. Pembroke's and L. Morley's case, as also the Commission for a High Steward, which they suppose is prepared for trial of the Lords in the Tower.

L. The Lords declared they had power enough to proceed to trial if the King should not name a High Steward.

This seemed to be satisfaction to the Commons, provided it were entered in the Lords' Journals, which are Records.

C. Propose and desire to know what resolution the Lords have taken concerning the Bishops being or not being at the trials of these Lords. That in the E. of Strafford's case the Lords acquainted the Commons that the Bishops intended not to be at the trials. They think it necessary to know whether the Lords intend any new forms in trials upon impeachments. They conceive all trials upon impeachments in Parliament have been by the temporal Lords only.—Adjourned to to-morrow at 9.*

13 May, 1679.—*L. Chancellor* in the Chair. The L. Chancellor acquaints the Committee that he has brought copies of the Commissions for the trial of the L. Cornwallis, L. Morley, E. Pembroke and E. Danby, and of that which is prepared for the trials of the Lords in the Tower.

The L. Morley's, E. Pembroke's and E. Danby's Commissions for their several trials are read.

C. Conceive there are some words in the said Commissions which may be interpreted to make it necessary to have a High Steward.

L. Declare that they have entered in their books (as they told them yesterday they would) that they may proceed to the trials of the Lords impeached, though the King should not name a High Steward.

C. We agree it is requisite that you have a power of naming a Steward. Desire that the words ("*cujus præsentia in hac parte requiritur*") may be left out of the Commission for trial of the Lords; or else that it may be said in the Commission ("*Whereas the Lords have desired his Majesty to name a High Steward*").

The L. Chancellor offers some amendments to the Commission, which are read, and which the Commons seem satisfied with; Provided that the date of the Commissions be after the entry that your Lordships say you will make in your Journal of the Lords' power to proceed to trial, though there be no High Steward named.

C. Desire they may know their Lordships' Resolutions to what they proposed yesterday concerning the Bishops being at the trials, before they proceed further.

L. The Answer, as to the Bishops, is that the law shall not be changed.

C. Conceive that they are concerned in the constitution of the House of Lords, and desire to know whether the Bishops will be in Westminster Hall upon the matter of the E. Danby's pardon and the other Lords' trials.

* *See* Report *eod. die.* L. J., XIII. 568. Annex (*cc.*).

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L. It belongs not to you to determine whether the Bishops may not be present at the preliminaries. They were present at E. Pembroke's trial. The judgment of this matter belongs entirely to the Lords, and when they have judged it, you cannot alter it. Why then do you debate it?

C. The judgment is in the Lords, but the Lords are not to give judgment unless the Commons demand it. We desire to know whether they will proceed in these trials as they did anciently. It may be, if the Bishops should sit, and the Commons should not demand judgment, as being dissatisfied with their being there, they may proceed by Bill.

L. The Lords, after the trial is over, are bound to give judgment of condemnation or acquittal. L. Arundel's case. The Bishops voted in the case of his pardon.

C. The Committee of the Commons are not satisfied to proceed to any new propositions till this matter be adjusted. They speak singly of themselves now, and do not know the sense of the majority of their Committee.—Adjourned to to-morrow at 9.*

14 May 1679.—*Lord Chancellor* in the Chair. The order of the 12th of May (Annex *dd*), concerning the office of a High Steward is read, as also the Lords' Resolution of the 13th inst. (Annex *ff*.). concerning the Bishops sitting in Court in capital cases till such time as judgment of death comes to be pronounced; and the said orders are delivered to the Commons.

C. They have no authority to debate this matter concerning the Bishops till they have acquainted their House with the vote their Lordships have communicated to them.—Adjourned to to-morrow at 9.†

15 May 1679.—*L. President* in the Chair. The Commons are acquainted with the Lord's explanation (made yesterday in the House) of the Bishops' staying in Court till the judgment of death be pronounced. The same is delivered to them in writing.

C. Propose and say that if the pardon of the E. Danby infer life and death it is the same with Guilty and Not Guilty. Would be glad to know your Lordships' opinion thereof.

We have no instructions to debate, but we shall acquaint the House.

Adjourned to to-morrow at 9.‡

16 May 1679.—*L. President* in the Chair.

C. Say they reported the Resolutions of the House of Peers to their House yesterday, which your Lordships communicated to us. Upon which report we received instructions from the Commons to insist that the Lords Spiritual ought not to have any vote in the proceedings upon the trials of the Lords in the Tower.

C. We know not how to proceed in capital matters before a new Court.

L. We have no instructions, power, nor allowance from the House to debate concerning this matter; but if you have any other proposals to make we are ready to debate them.

C. We think it most proper that propositions, as they are made, shall be determined, before we make new ones. We hope to-morrow you will give us your resolution concerning this matter.—Adjourned to to-morrow at 9.§

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* *See* Report *eod. die.* L. J., XIII. 570. Annex (*ee.*)

† *See* Report *eod. die* L. J., XIII. 571–2. Annex (*gg.*).

‡ *See* Report *eod. die.* L. J., XIII. 570–4. Annex (*hh.*); and for the first report to the Commons, made this day, C. J., IX. 622–3.

§ *See* Report *eod. die.* L. J., XIII. 575; Annex (*ii.*).

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17 May 1679. *L. President* in the Chair. The Lords communicate to the Commons the Order made yesterday for beginning the trials of the five Lords in the Tower on Thursday next (Annex *kk.*), as also the Bishops' desire to withdraw themselves at those trials, with the liberty of entering their usual protestation. The said Order is delivered to the Commons. And this, they are told, is all they have in command.

C. Our vote we acquainted you with yesterday, extended to the E. Danby as well as the five Lords. We desire to know what answer you give as to my Lord Danby, for your vote extends not to him.

L. The Lords have appointed no day yet for the Lord Danby.

C. Our vote was to the right of the thing. We conceive the Bishops being present, would make a new Court. Our proposal went to all six Lords; your communication goes but to five of them. We can go on with no other propositions till we have the direction of the House in this particular.

L. The Bishops will be absent, at all parts of the trials of the five Lords; and the Protestation they now desire to enter will be the same as it was at my Lord Stafford's trial.

C. The Bishops have no right to be at any one vote in any capital case, and we take the Lord Danby's case to be capital as well as the other.

Adjourned till Monday at 9.*

19 May 1679. *L. Chancellor* in the Chair.

C. Acquaint the Lords that they have reported to their House the Lords' vote and the desire of the Lords Spiritual, which occasioned the House of Commons to give this further instruction to them, viz^{t}: That the Lords Spiritual ought not to have any vote in the proceedings against the Lords in the Tower, and when that matter shall be settled, and the method of proceedings adjusted, their House shall be then ready to proceed upon the trial of the pardon of the E. of Danby, against whom the House of Commons hath already demanded judgment, and afterwards to the trials of the five Lords in the Tower.

L. Say they have no authority to debate this matter.

C. Say that the Lords' Resolution which was offered, was no answer to their Proposition, which comprehended the E. Danby as well as the five Lords, and the Lords' answer relates only to the five Lords. The Lords' answer was doubtful, for it appears that the Bishops asked leave to be absent, but it appears not that it was granted; and if they may ask leave and it be not granted, then consequently the Bishops must sit in Court at the trials. The Commons conceive that the Bishops absenting themselves by way of leave is a strong implication of a right asserted, which they cannot allow can ever be maintained, and think there is the same reason for the Bishops being absent from the trial upon the pardon as at the trial of the other five Lords. That the naming of a day for the trial of the five Lords, before the trial of the pardon of the E. of Danby, against whom the Commons have already demanded judgment, is a putting that last which they desired should be first.

L. Say they are not empowered to debate, but would report these matters to their House.

C. They are ready to go on, and that for want of these trials all public business stands still. The Lords seem to lay the stop at the Commons' door by naming a day, which they conceive ought not to have been appointed before the methods be considered, for the Lords have not

* *See* Report *eod. die.* L. J., XIII. 576; Annex (*ll.*); and for the report to the Commons, C. J., IX. 625.

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answered the Commons in the matter of right, which is necessary first to be adjusted; and they conceive the Lords may as well make the Judges part of their Court as the Bishops in this point. The Commons will give no disturbance to the ancient judicature, for they own that to be sacred. They conceive they have a right to know before what Court they shall appear, and they hope the Lords will consider of their having appointed a day before the methods be considered. Adjourned to to-morrow at 9.*

20 May, 1679. *L. President* in the Chair. C. The Commons desire your Resolution in the business under consideration yesterday. There is a general expectation of it, and all business is at a standstill till this matter be over.—Adjourned to to-morrow at 9.

21 May 1679. *L. Chancellor* in the Chair.

L. We have nothing in command to say to you yet.

C. The delay of the whole justice of the nation lies upon your Lordships.

We some time since made our Propositions, and expect your Lordships' answer.—Adjourned to to-morrow at 9.

22 May 1679. *L. President* in the Chair.

C. We have made a Proposition and we have inforced it since, and we have long expected your answer, for want of which all things are at a stand. The witnesses are weary with staying here; in short the Commons must desire to be sent home if your Lordships do nothing in it, for the expectation of the whole kingdom lies upon the issue of this matter. We desire your Lordships to take this matter into consideration, and to apply some remedy.

L. We have no directions from the House to reply at present.

C. We desire you to remember this is the highest case, that you will report it to the House, and that you will come prepared to debate. We took it for granted that you agreed no day should be appointed for the trial of the Lords till the methods were first adjusted, and we conceive it is so entered on your Journal. We conceive it is lawful to plead to the jurisdiction of the Court in any Court whatever. We cannot but wonder to hear that you have set a day for the trials.

L. We offered to have gone on with other matters while the business of the Bishops was depending.

C. If we be not satisfied in the constitution of your Court, it is to no purpose to go upon the methods.—Adjourned to to-morrow at 9.

23 May 1679. *L. President* in the Chair.

L. The Lords deliver to the Commons a copy in writing of the methods of proceedings agreed in the House of Lords yesterday, to be observed at the trial of the five Lords in Westminster Hall. (Annex *pp.*) The Lords hope there is everything adjusted that will be necessary for the trial.

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* Reported *eod. die.* L. J., XIII 579–80. "Upon debate whether the debate of the Report shall be adjourned till to-morrow, Q. Whether, etc. 'After some time spent in debate about adjourning the debate, House adjourned to to-morrow at 10." (M.S. Min. 19 May). On the 20th, the consideration of the Report being resumed, after some time spent in debate, the House went into Committee, but it not being agreed who should be in the Chair, the House was resumed. After further debate the House went again into Committee, and E. Bridgewater was called to the Chair. Who being there, the Lords proceeded with the debate, and after a long time spent, the House was resumed. *It being offered by the Bishops 'that if any point of law arise they may be present, this upon further debate is waived.* [These words in italics are struck through.] Then it being moved that a further day may be appointed for the trial, etc.. Rest as in L. J. (M.S. Min. 20 May).

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C. Your Lordships are pleased to answer to several things we did not ask. Will you not please to answer what we desired?

L. We are not empowered to give any other answer.

C. We desire an answer to the rest of the propositions we made, and to know whether we may expect an answer.

L. We are not instructed to answer. We shall acquaint the House with what you insist on.

C. Whether do you offer this Paper as a proposition to be debated? This looks as if you would leap over what we have proposed. Till we have an answer to that material one concerning the Bishops, we can say nothing to these minute circumstances.

L. We should meet upon a strange disadvantage if we should not have liberty to propose as well as you. There is no imposition upon you by this Paper; but you may make exceptions, and we shall debate.

C. If you erect a new Court, we cannot tell how to proceed. Till we know that, we cannot proceed to adjust methods.

L. We expect not your answer presently to this Paper, but we hope you will receive it, as we have done your Propositions.

C. The day of trial grows near, and this Paper seems rather to be a direction to the Commons than Propositions to be treated of. It will take up longer time to adjust these Propositions than Tuesday, for material exceptions may be taken to some of them. We shall receive this Paper as Propositions. We cannot go further till we have an answer concerning the Lords Spiritual. We think it is not according to the good correspondence that ought to have been between the Committees for the Lords to appoint a day of trial without adjusting the day of trial with us, having formerly agreed it should be the last thing considered. We desire you to report to your House that we receive this Paper as your Proposition, to which you are to receive no answer till we have an Answer from you to our first Propositions. We quit not that part of our Proposition of My Lord Danby being tried before the five Lords, when we say that you have appointed too short a day for the trial of the five Lords. We desire to know whether the Lords intend to proceed to the trial of the five Lords on Tuesday next, though the Commons consent not to it.

L. We will report that you have received this Paper as a Proposition only.

C. You have prevented us by this Paper, for several Propositions of this kind are in our hands, but we were not to offer them till we had an answer to our former Propositions, That you will report to the Lords to desire to know whether we may expect any answer to our former Proposition; for we have met often and do nothing, for your Lordships come still unprepared. If your Lordships would let us know that we may expect no answer in that particular, one meeting more would put a period to this Committee.—Adjourned to to-morrow at 9.*

24 May 1679.—[The Chairman of this day is not recorded.]

L. The Lords deliver to the Commons in writing what was resolved yesterday concerning the Bishops being at the trials of the five Lords, and concerning the E. Danby's trial (Annexes *uu.* and *vv.*), as also the Order concerning the Paper of methods to be used at the trial of the said five Lords, which was communicated to them yesterday; and told them this was all they had in command to say.

C. Will you not please to give answer whether you resolve to proceed on Tuesday to the trial of the Lords? Since your Lordships have not

* *See* Report *eod. die.* L. J., XIII. 586; Annex (*tt.*); and for the report to the Commons, C. J., IX. 630.

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thought fit to give such satisfactory answer to our Propositions as they require, we have instructions to give no answer to the Propositions delivered in by the Lords, till their Lordships give an answer to the Propositions made formerly by them. Then *Sir John Trevor* communicated the Order following to the Lords, which was read :—'Sabbati, 24° Maii 1679. *Resolved*, That the Committee appointed to join wtih the Committee of Lords do insist upon their former instructions, and do give no answer to the Propositions yesterday made by the Lords until their Lordships have returned an answer for adjusting the Propositions already made to their Lordships by the Committee of this House.'—Adjourned to Monday at 9.*

26 May 1679.—*L. President* in the Chair.

C. We hope your Lordships will give answer concerning the Bishops and the E. Danby. Till that be done, we cannot proceed further. They have received instructions† to propose whether you be empowered to give answer to the Propositions already made by them, and to acquaint your Lordships that they cannot give any answer to the Propositions made by their Lordships preparatory to the trial until these matters be adjusted.

L. We are not yet empowered.

C. We desire you to come to some determination, and, if possible, to find some way to bring us out of these difficulties.

Adjourned to to-morrow at 9."‡

(The result of this day's proceedings was a Message from the Commons to the Lords desiring a Conference. As to this, *see* notes to Annex *zz*. The next Joint Committee on this subject was appointed at the request of the Commons on 27 Nov. 1680 (L. J., XIII. 692; C. J., IX. 667), in connection particularly with the trial of V. Stafford. Their proceedings on 27 and 29 Nov. are recorded as follows) :—

"27 Nov. 1680. *E. Salisbury* in the chair.

C. *Sir William Jones* proposes that there was some question last Parliament whether the High Steward was an officer absolutely necessary, or whether he were only as Speaker. He says in his Commission for trying the five Lords was this clause "*Cujus præsentia in hâc parte requiritur.*" We desire to know whether in the now Commission that clause is left out.

L. We will report it to the House, but we suppose the Commission is now as was then agreed. We will satisfy you the next meeting.

C. We desire to see both the new and old Commissions. We desire to know whether the Lords Spiritual will be present at the L. Viscount Stafford's trial or not.

L. We shall report this also to this House.

C. An intimation from the Bishops that they will not be there is not enough to give the Commons satisfaction. If your Lordships have anything to propose to the House of Commons, we shall report it to them.

L. We have nothing in charge, but the Lords yesterday sent you some Rules agreed for the method of proceedings at the trial.

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* *See* Report to the Commons *eod. die.* C. J. IX. 631.

† A Resolution of the House of Commons of the 26th, embodying these instructions (C. J., IX. 631, *in extenso*), is pinned into the Committee book, from which the above proceedings are extracted.

‡ *See* Report *eod. die.* L. J., XIII. 590; Annex (*yy.*); and for the Report to the Commons, C. J., IX. 633. The next entry of proceedings in this Joint Committee Book begins 27 Nov. 1680.

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C. We propose that the Committees may meet on Monday at 12, and that both Houses may be desired they may then sit.

Adjourned to Monday at 12.

29 Nov. 1680. *E. Salisbury* in the Chair. The E. Sarum acquaints the Commons that their Lordships have reported their desires to the House concerning Commissions; and the Commissions will be brought presently, and those words (*"Cujus præsentia in hac parte requiritur"*) are not in the present Commission. The Lords Spiritual will not be present, but will enter their usual Protestation in our books. The Lords have given order to us to tell you that the Bishops will not be present nor come into Westminster Hall.

C. We should be glad to see the Protestation that it be in the usual form.

L. The Protestation, as the Bishops intimated it to me, will be saving their right to them and their successors.

C. If the Protestation be such as was at my L. Strafford's trial, it will please us. But since your Lordships say they will not be there we desire not to see it. The Commons have this day resolved and have commanded us to communicate to you that they will manage this trial in a Committee as in the L. Strafford's trial, and not as a House.

The Rules for method at the trial, sent lately to the Commons, are produced to the Committee by the Lords and read.

C. We conceive we are not to apply ourselves to my Lord High Steward, but to speak to your Lordships in general at the trial, as we do when we bring a Message to your Bar.

L. We take the L. High Steward for no other than Speaker; but we have no order from the House, but shall acquaint the House with it.

C. We expect no answer to the above Proposition, for we acquaint your Lordships with it as a Resolution of our House.

Mr. Attorney, coming in, acquaints the Committee that the clause (*"Cujus præsentia in hac parte requiritur"*) is left out in the new Commission, and it is drawn as it was agreed last time, viz^{t}: That he was appointed at the request of the Peers.

L. Propose that the Committee may be adjourned till 9 to-morrow.

Adjourned till 9 to-morrow."*

[As to further proceedings connected with the trial of V. Stafford, which began on 30 Nov., *see* notes to Annex *fff.*]

(*cc.*) 12 May 1679. Draft Report from Committee of both Houses, concerning the manner of trying the impeached Lords. L. J., XIII. 568. *In extenso.*

(*dd.*) 12 May 1679. Draft declaration and order that the office of High Steward is not essential to trials on impeachments. L. J., XIII. 569. *In extenso.* It ran originally—"in such trials, though His Majesty should refuse to name a High Steward." [The proposal to enter this declaration appears in MS. Min. of the 13th, which add "This should have been entered of yesterday, and is now directed so to be."]

(*ee.*) 13 May 1679. Report from Committee of both Houses, concerning the method of trial. L. J., XIII. 570. *In extenso.*

(*ff.*) 13 May 1679. Draft resolution affirming the right of Bishops to stay in Court in capital cases, till judgment of death comes to be pronounced. L. J., XIII., 570. *In extenso.* [The MS. Min. of date have as follows: "Then the House enters into debate of the second part of the Report, concerning the Bishops being

* *See* Reports L. J., XIII. 694-96; and C. J., IX. 667-68.

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present or not present at the trials. It is offered by the Bishops' Bench that if the judgment on the Earl of Danby's pardon, as to the validity of it, be a definitive sentence in a matter of blood, they will desire to be excused from being present on it. After a long time spent in debate upon this subject, it is proposed to put, Q. Whether the Bishops ought to withdraw before the judgment of death is given ?"—This question is struck out, and the rest of the proceedings entered as in L. J.]

(*gg.*) 14 May 1679. Draft Report of the L. President this day, containing explanation to the Commons of preceeding Resolution. ("The Lord President reported . . . . Not Guilty.") L. J., XIII. 571–2. *In extenso.*

(*hh.*) 15 May 1679. Draft Report of the L. President this day. ("The Lord President reported . . . . the House with it.") L. J., XIII. 573–4. *In extenso.*

(*ii.*) 16 May 1679. Draft Report of the L. President this day. ("The Lord President reported . . . . . any new ones.") L. J., XIII. 575. *In extenso.* The draft, before correction, began as follows: "The Lord President reported that the Lords' Committees have met the Committee of the House of Commons this morning, and having nothing to offer to then, desired the Commons, that if they had anything to offer, they would do it, upon which the Commons said they had communicated to their House." Rest as in L. J. [The MS. Min. add that after some time spent in debate on this Report, the Bishop of London moved that the Bishops, reserving their right, may withdraw at the trial of the five Lords, entering their protestation to that purpose.]

(*kk.*) 16 May 1679. Resolution appointing Thursday, the 22nd May, for the trial of the Lords, with draft entry of proceedings thereon, viz., "After which . . . . . morning." L. J., XIII. 575. *In extenso.*

(*ll.*) 17 May 1679. Draft Report of the Lord President this day. L. J., XIII. 576. *In extenso.* The draft originally ended with with the words "and that they rather expected to receive proposals from the Lords than to make any." These words are struck out.

(*mm.*) 17 May 1679. Draft order of reference to the Committee for Privileges to consider precedents concerning trials and judicature of Peers. L. J., XIII. 577. *In extenso.* [The latter part of this order, *i.e.*, from "and to advise" to the end, is added in E. Anglesey's writing.]

(*nn.*) 17 May 1679. Draft report of the Committee for Privileges of precedents and ways of proceeding in the trials. L. J., XIII. 584, *in extenso*, except that this paper omits the paragraph about the Lord Chancellor, and contains the following, not in L. J., viz., after "covered at the trial, but the peers" the paragraphs "That the Palace Yard and the Hall be guarded with some of the Military Company. That the Lord Great Chamberlain do give order and take care for the safe locking up of Westminster Hall"; and after "woolsack be clear," the paragraph "The Lord High Steward is to adjourn this House to the place of trial, and afterwards to adjourn it hither." [Agreed to this day by the Committee for Privileges (Priv. Book 17 May), and reported to the House on the 19th (L. J., XIII. 580). Some exceptions being taken to it, when considered on the 21st, the House, after reading the report of 22 March 1677, in the case of

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E. Pembroke, ordered the abstract as below (annex *pp*). (M.S. Min. 21 May). The above paper corresponds with this abstract, as reported from the Committee of the Journals, except in the particulars above stated].

(*oo*.) 20 May 1679. Draft order for an Address for shutting the Tower gates at 10 at night. L.J. XIII. 581. *In extenso*. [The order of the 19th (L. J., XIII. 580) was made after notice had been taken that several Lords of the House went frequently to see the Lords in the Tower. (M.S. Min. 19 May.)]

(*pp*.) 21 May 1679. Draft order for abstract to be made by the Committee of the Journals concerning the method of proceeding at the trials, for communication to the Commons. L. J., XIII. 582. *In extenso*. [*See* notes to annex (*nn*) above.]

(*qq*.) 22 May 1679. Draft order for the Constable or Lieutenant of the Tower to bring the five Lords to Westminster Hall on the 27th inst. L. J., XIII. 585. *In extenso*.

(*rr*.) 22 May 1679. Draft order for Lord Stafford's house, Tart-hall, to be searched again. L. J., XIII. 585. *In extenso*. [For previous search, *see ib*. 573, 580. Information was given, before the Committee for Examinations, by one Mary Burke that a priest used to say mass at Tart-hall, when she was there as servant, and that there was a vault in the house, which she was never allowed to enter. The Committee thereupon ordered Mr. Warcup to make search, taking with him the witness, and also Mr. Chetwin and Mr. Dugdale, and he reported that he had found neither priest nor vault. Lady Stafford and the Marchioness of Winchester complained to the Committee that Mr. Chetwin, during the search, had declared that if he were the King, he would have the house set fire to, and make the old rogues come forth. The Committee then agreed to move the House for the above order. Exam. Book 21, 22 May.]

(*ss*.) 22 May 1679. Petition of the five Lords, except Lord Petre, as follows :—

To the Right Hon^ble^ the Lords Spirituall and Temporall in Parliament assembled.

The humble petition of William, Earl of Powis, William, Viscount of Stafford, Henry, Lord Arundell of Wardour, and John, Lord Bellasis, Humbly Shew,

That upon your Lordships' order for the protection and indemnity of all such persons as should repair to London to be witnesses for your Petitioners, they did thereupon send for many persons that were and are material witnesses, who accordingly did repair to London, and cannot yet be dismissed by your Petitioners, till their trial be over. That amongst such witnesses so sent for, Richard Gerrard, Esq., came to London on purpose to give evidence on your Petitioners' behalf, who was seized upon, and yet remains under restraint. That in regard such usage and practice against your Petitioners' witnesses seems to be contrary to the intentions of your Lordships' order as aforesaid, and in breach thereof, and for that divers other the witnesses of your Petitioners, which are in town, are by such proceedings against Mr. Gerrard so alarmed and intimidated that they do declare they dare not stay to attendyour Petitioners' trial.

Your Petitioners therefore humbly pray that the said Mr. Gerrard may be admitted to have his liberty upon bail, whereby he may appear as a witness on your Petitioners' behalf, and that your Lordships will be pleased to strengthen your former order by

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declaring that it is not your intention that any of your Petitioners' witnesses shall be disturbed for the future, or enforced to discover or declare what they have to say as evidence for your Petitioners.

And your Petitioners shall ever pray, etc.

POWIS. STAFFORD.

HEN. ARUNDELL. BELASYSE.

[*Endorsed:* Nothing done in it; the M.S. Min. add "he (Gerrard) being charged as guilty of treason." No entry in L. J. *See also* No. **196.**]

(*tt.*) 23 May 1679. Lord President's report from Committee of both Houses. L. J., XIII. 586. *In extenso.* [The MS. Min. of date state that on debate of this report, three things were proposed; 1. Whether the Lords Spiritual shall be part of the Court; 2. Whether the paper be propositions or rules and directions; 3. Whether the Lords will proceed to trial if the Commons consent not.]

(*uu.*) 23 May 1679. Draft of questions and resolutions on consideration of the above Report. L. J., XIII. 586–7.

(*vv.*) 23 May 1679. Draft Resolutions and Order embodying preceding. L. J., XIII. 586–7.

(*ww.*) 23 May 1679. Draft order giving leave to L. Mowbray and L. Howard of Escrick to visit L. Stafford in the Tower L. J., XIII. 587. *In extenso.*

(*xx.*) 24 May 1679. Draft orders giving leave to L. Stourton and V. Fauconberg to visit L. Petre and L. Belasis respectively. L. J., XIII. 589. *In extenso.*

(*yy.*) 26 May 1679. Lord President's report of the Commons' answer at the Committee of both Houses on the 24th instant and this day. L. J., XIII. 590. *In extenso.*

(*zz.*) 26 May 1679. Report of the Conference this day on preserving a good correspondence. L. J., XIII. 590–93 *In extenso.* [The proceedings on the adjourned consideration of this report, at the afternoon sitting this day, are thus given in the MS. Min. The House being moved to be put into a Committee for more freedom of debate, is adjourned during pleasure, and upon motioning that a Lord may be called to the chair, the Lord Roberts informs the Committee that till 1642 there was no Chairman of any Committee, and that the old Earl of Manchester, who was Lord Privy Seal, was the first Chairman of a Committee. After some debate of this matter concerning a Chairman, the House being resumed, the paper or narrative of the Commons, delivered at the Conference with the reasons, is read by the Clerk, and upon long debate what to do thereupon: the rest as in L. J., XIII. 594.—At the adjourned debate on the 27th it was observed that there were some mistakes in the matter of fact in the narrative, viz., concerning a Lord Steward, which the Lords had let the Commons know was not necessary, and that the Lords might act if there were none named, and the Commission for a High Steward was amended as they desired; that they had not allowed of Counsel to the E. Danby, whose petition concerning forbidding his counsel to appear was communicated to the Commons, and no answer was returned to it. The narrative being then read again, it is observed and to be taken notice of, that the Lords did not make a new Court by the Lords Spiritual continuing, or absenting with leave; that the Lords have not been the cause of delay in these proceedings; that the Lords do not

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allow a commitment upon a general impeachment, but do allow it where special matter is alleged in the impeachment; that though there might be ground for not proceeding to trial on the first day appointed, yet the Lords have used such means since, by Conference and Committee, that the delay lies not on the Lords but on the Commons; and that the Commons sent a message to the Lords that they were ready for the trials, before the Lords appointed a day. Then, after a long debate whether the bishops had a right to sit upon the trials, the orders of the 20th and 22nd inst., appointing this day for the trial of the five Lords, and for bringing them to the bar of the House in Westminster Hall, are read. After further debate, the order of the 13th inst. is read. Rest as in L. J., XIII. 594. The Resolution concerning the bishops was carried by 65 votes to 36. (MS. Min. 27 May.) The prorogation took place on the 27th. L. J., XIII. 595.]

(*aaa.*) 3 Nov. 1680. Petition of Henry, Lord Arundell of Wardour. Petitioner has received notice from the Lieutenant of the Tower of an Order of Council for retrenching the families of the Popish Lords now prisoners there, to the number of six persons of all sorts, and they to be Protestants. Petitioner has never exceeded that number since his confinement, nor hath any but those who for many years have attended him. Prays that in consideration for his old age, he may not be deprived of those few servants so necessary to him, they being but three men and one woman, who are Catholics. [Offered this day (M.S. Min.). *Endorsed:* Not read. No entry in L. J.]

(*bbb.*) 3 Nov. 1680. Petition of William, Lord Petre. Upon a late complaint to his Majesty, that the Tower might be in some danger by reason of a great number of servants who continually attended Petitioner and the other Lords now prisoners there, his Majesty was pleased on the 24th October last to order in Council that Petitioner and the other Lords there should forthwith retrench their families. Petitioner submits that, during his two years' confinement, he has never had there for himself and his wife more than two men and one maid-servant and one boy, which number he does not desire to exceed. Prays that his servants may not be removed from him during his imprisonment, being, as he hopes, so near his trial. *Endorsed:* Read, but nothing done on it. M.S. Min. of date. No entry in L. J.]

(*ccc.*) 15 Nov. 1680. Petition of William, Viscount of Stafford, for his witnesses, and for a longer day for trial. L. J., XIII. 666. *In extenso.*

(*ddd.*) 18 Nov. 1680. Petition of William, V. Stafford as follows :—

To the Right Hon^ble^ the Lords Spirituall and Temporall in Parlyament assembled.

The Humble Petition of William, Viscount of Stafford.

Most humbly shewing unto your Lordships that hee lately receaved severall orders from Mr. Lieutenant of the Tower, as hee conceaved not by your Lordships' order, in particular something about a Chiorgion, which hee understandeth not, but hath severall times desired, by the Gentleman Goaler, that Mr. Lieutenant would give him under his hand what the meaning of it was. He hath this morning denyed him leave to search the Records, saying his Councell might doe it; and hee hath just now sent him word that if hee have anything to send to his Majesty or your Lordships, that I must send it by him. I desired the Gentleman

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Goaler to give mee under his hand what I must doe. He answered mee that Mr. Lieutenant did not think that fitt. In consideration of this and divers other reasons, which may be very prejuditiall at his Tryall unto him, your Petitioner doeth most humbly besich your Lordships to take his sadd condition into consideration, and bee pleased to lett him receave your orders, which hee shall puntually obey.

And your Petitioner shall, &c.

STAFFORD.

[L. J., XIII. 675. MS. Min. 18 Nov. The MS. Min. of the 20th add to what is given in L. J., XIII. 680, that V. Stafford had told L. Howard that, as to the Surgeon, the Gentleman Gaoler came into his chamber, and that V. Stafford pressed to have what he had under his hand,' and thanks their Lordships for their care in sending to him, but does not think it fit for a complaint.—At the Committee for Privileges on the 25th E. Shaftesbury stated that Prince Rupert desired to be heard by his counsel as to his precedency, at the trial, before the L. High Steward, and the Committee ordered accordingly. (Priv. Book 25 Nov. No further entries.)]

(*eee.*) 27 Nov. 1680. Certificate of Rich. Rider, Master Carpenter, Jer. Haughton, and Rich. Gammons, Clerk of the Works, to Sir Christopher Wren, his Majesty's Surveyor General, that they had viewed, as directed by him, the Court and Scaffolds in Westminster Hall, as performed by J. Sell and W. Wheatley, carpenters, and judge the same workmanlike done, firm, and sufficient. Appended to next paper.

(*fff.*) 29 Nov. 1680. Certificate of Sir Christopher Wren that in obedience to their Lordships' order of the 26th inst., concerning the Court of Judicature and scaffold erected in Westminster Hall for trial of the Lords, he had again and again viewed it for greater caution, and had taken the opinion of able men whose certificate is annexed, and without question the work is very firm and sufficient. L. J., XIII. 690. [Read this day. On 4 Dec. an account being given to the House of a fire in Westminster Hall last night,* Ordered that Mr. Whityard go and search the scaffold (MS. Min. Nov. 29, Dec. 4.)]

[With regard to V. Stafford the MS. Min. give the following further information, which does not appear in the Journals:—On 30 Nov. 1680 the order allowing V. Stafford to sit during his trial (L. J., XIII. 696) was made at the instance of the Lord Chancellor. Just before adjourning to Westminster Hall the House excused E. Northampton from coming to the House. After returning to the House from the trial in Westminster Hall, the following orders appear: *Ordered*, that the Gentleman Usher do attend E. Northampton and let him know that his excuse is not received. *Ordered*, That Sir Timothy Baldwin and Sir Samuel Clarke go to the Commons and let them know that the House intends to meet to-morrow at 10, and proceed in the trial, and that the Lieut. bring the prisoner then. *Ordered* that guards be set at Westminster Hall to keep the peace, and to prevent noise in the Hall, and also guards on the

* The MS. Book of the Committee for Examinations has the following: "Ordered that the D. Bucks and two or three more of the Committee go into Westminster Hall and view the place where the fire began last night and give the Committee an account." (Exam. Book 4 Dec. Vol. IV.)

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leads to keep people from the upper windows, and that the said windows, now unglazed, be stopped up and glazed. On 1 Dec. the question put to the Judges with regard to V. Stafford's demands as to his defences was, what is the course in Courts below in the case of providing evidence that is not in the Court, for the prisoner? To this, the L. Chief Justice answered that if the prisoner calls for anything before them, they do help him to it, but not to anything out of the possession of the Court. The other Judges concurred, viz., L. Chief Baron, Justices Windham, Jones, Dolben, Raymond, and Charleton, and Barons Atkins, Gregory, and Weston, the last of these acquainting the House with the proceedings in Courts below as to the judge's obligation. As to the two affidavits, the Lord Chancellor was directed to say in the Hall that the Lords were of opinion, not knowing how they were taken, that they cannot therefore produce them, and that they should not press the Commons to the producing them. The L. Chancellor, as Lord High Steward, informed V. Stafford accordingly. On the Lords returning to their House, a debate ensued, previous to making the order for resuming the trial the next day. On 6 Dec. in the division on the question, Whether the question to adjourn to-night to Westminster Hall to give judgment, be now put (L. J., XIII. 703), the Contents and Non-Contents were both 42.—On 7 Dec. the question put to the judges as to whether a sentence of beheading attaints the blood (L. J., XIII. 705), appears to have been put *before* proceeding to Westminster Hall to count the votes. The judges answered as follows. *L. C. Justice North:* The sentence by common law is to be hanged, drawn, and quartered. The King may pardon all but beheading. *L. C. Baron Mountague.* Conceives in the common law there is no sentence in treason but to be hanged, drawn, and quartered. *Justice Windham.* Can take notice of no more before them at the common law. A question was proposed, whether in giving the vote every Lord shall say what he thinks fit, with this ceremony, upon his honour? 54 is given as the number of those who voted Guilty (*See* marginal note in L. J., XIII. 704.)—17 Dec. The House moved that the L. Stafford is not yet to be executed, and that he is to be on Wednesday next, but it is reported that a pardon is getting. The L. Chancellor gave the House an account that there is no such thing, but a writ issuing under the Great Seal for his execution.—18 Dec. The Earl of Carlisle acquainted the House that yesterday he was with L. Stafford, having gone to him to persuade him to confess. L. Stafford ordered him to say that he would confess all he knew, and that, if he might, he would write down all against Monday. Dr. Burnet was there too, and was to say this to members of the Commons. Dr. Burnet was his (E. Carlisle's) witness that he dealt plainly with him, to confess all he knew, and Dr. Burnet did the same. *Ordered:* That no body talk to L. Stafford while he is in the lobby. L. Stafford being brought to the Bar, the Lord Chancellor told him they expected to hear what he could say. In reply, he says,* it is a favour to send for him. He will tell all he knows. He may fail in time, but not in truth. He has endeavoured to alter the religion. When the King was coming over, he waited on him at Breda. He found by the King that he would be gracious to all that dissented from the Church of England. He then endeavoured to take off Recus[ancy] laws. He spoke to some of that persuasion of Papist to do it or [*illegible*], but he left that alone. The E. Oxford moved that all Lords might take the oath of allegiance, and then it was no further. E. Bristol summoned the persons of that opinion to meet at his house about it. He was there; the oath was read, and

* What purports to be a summary of this speech is given in Echard III. p. 597.

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he consented to it. E. Bristol proposed secrecy to every man upon what was said. The oath was made, and he [*illegible*] desired to see it again, and that he said to E. Bristol that he would not keep secrecy. About half a year after, there was a declaration came out. He said then God of [have] mercy, for now the Church of Rome began to be undone, but the others [were] not of his opinion. The Duke of York brought a bill concerning the King's power in ecclesiastical things; he thought that would help them. The bill was thrown out. He then considered his fortune full broke. He was [*illegible*] for life. He resolved to go over sea. The Papists and Jesuits were too open. He saw a priest below the Bar in this House. He heard a report that the Duchess [of] Y[ork] was dead, and that she was of the Church of Rome, and upon some words the Duke of York said, he thought it was [so]. He was then going over. It was reported the Duke was of that opinion. He thought that would be good for them. He went to him in this House; it was said concerning religion. The Duke took up the catechism, and showed it him, and he answ[ered] the Duke, "for this, the Church does not own this." The Duke said "But we own it so." It being thus, he though[t] he said [D. York?] will [*illegible*] of that religion of their hopes. The Parliament was prorogued. He then thought there was a probability to bring in that religion. He told [several of?] his reasons why it was good to the Kingdom to have that religion in. He says he delivered proposals to the K[ing]. He went to the Duke, and said he hoped some good would be by the next session. He desired some Lords of that religion might meet to consider what was fit to propose to the House. He went to the Duke again, and said "Sir, the Church lands is (*sic*) in so many hands, that there is no hope of any advantage. He then spoke to divers of the Lords concerning a toleration, but one, the E. Br[istol] gave him no encouragement, but the rest gave him encouragement. From that time to this he did little or nothing. He had, he professes, great hopes this religion would be brought into England. He did persuade and use all the end[eavou]r he could to the Duke of York that he should get the Parliament to be dissolved. The Earl of Shaftesbury persuaded him, and told him that if the Parliament were dissolved, it would be much for the service of the King and Kingdom, and a great advantage to the Rom[ish] Ch[urch], and the successor being of that religion, it was great hopes for them. Asked, if you know anything of designs of the C[hurch] of R[ome] for the subversion of the Government (and this will be useful), he says he knows none more. Do you know of no correspondences with the Jesuits? He said No. He withdraws. *Ordered* That the late Viscount of Stafford be remanded. The House being moved that the Lieutenant of the Tower hath somewhat to say, he is called in. He says he cannot carry the Lord Stafford back for the rabble, being flood now. He withdraws. *Ordered* that the D. Albe[marle] move the King that a convenient guard may be ordered to take care of having back the Lord Stafford, and may secure the prison. The remaining notes in the MS. Min. of the proceedings during the trial, are a rough summary of what is given in full in Howell's State Trials VII., p. 1294 *sqq.*]

(*ggg.*) 8 Dec. 1680. Paper stating that by Order of the House, Justice Warcup required the High Constable of Westminster, John Ferris, Gent., to attend the whole trial of the Lord Stafford, with 25 petty constables and 25 or 30 men to each constable, whereby great order was observed, such as has never been on the like occasions; and offering to their Lordships that, for encouragement of the

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High Constable in pursuit of their Lordships' future commands, some small piece of plate may by order of their Lordships be given to the said High Constable. *Undated.* [The Committee of Examinations this day ordered Mr. Ferris to have a piece of plate of 10*l.* value. Exam. Book of date.]

(*hhh.*) 12 May 1685. Copy of Bail-piece on a *Habeas Corpus* for John L. Bellasis to appear on the first day of the next Session o Parliament. The sureties, viz. :—Robt. E. Aylesbury and Elgin Chas. E. Westmorland, Thos. V. Falconberg, and Sir John Talbot, Knt., are bound in 5,000*l.*, and the party in 10,000*l.* Dated 12 Feb. 1683–4, and brought in this day. *See* L. J., XIV. 7.

(*iii.*) 12 May 1685. Similar document for L. Arundell of Wardour. The Sureties are Chas. E. Dorset and Middlesex, Robt. E. Scarsdale, John E. Bath, and Henry E. Clarendon. *See* L. J., XIV. 7.

(*kkk.*) 12 May 1685. Similar document for E. Powis. The Sureties are Henry D. Norfolk, Henry D. Beaufort, Thos. E. Pembroke and Montgomery and Henry E. Peterborough. *See* L. J., XIV. 7.

(*lll.*) 16 May 1685. Writ of *Certiorari* to bring up Recognizance of L. Bellasis, with return of C. J. Jeffreys thereto, and Bail-piece appended (*see* Annex (*hhh.*) above. Dated this day. *See* L. J., XIV. 7.

(*mmm.*) 16 May 1685. The like for L. Arundell of Wardour (*see* Annex (*iii.*) above).

(*nnn.*) 16 May 1685. The like for E. Powis (*see* Annex (*kkk.*) above).

7. Oct. 28. D. Bucks' Privilege.—Information of Matthew Lister, that Edward Moulton, a bailiff of Westminster, had refused to release Robt. Feilding, though the demand was under the Duke's hand and seal, which Moulton recognised; with a list of the persons concerned in the breach of privilege, namely, Francis Snape, the Plaintiff; John Hardesty, the Attorney, and Robt. Hardesty, his brother, Sheriff; Essex Strode, Head Bailiff of Westminster; John Farwell, his deputy; Edw. Molton; and Anthony Church, Goaler of the Gatehouse. L. J., XIII. 306, and MS. Min. of date.

Annexed:—

(*a.*) 28 Oct. Information of Samuel Ellams, that, on his asking Moulton why he had arrested Feilding, the Duke's servant. Moulton told him he had the Duke's leave. L. J., XIII. 306, and M.S. Min. of date.

(*b.*) 28 Oct. Draft order, addressed to the Marshal of the King's Bench, for the release of Feilding. L. J., XIII. 306. *In extenso.*

(*c.*) 29 Oct. Petition of Francis Snape. He had sold a coach to Feilding, a rich man and Justice of the Peace, for 60*l.*, for which he had taken a bond, but when about to take Feilding in execution, he learned he was protected by the Duke of Buckingham. He thereupon besought the Duke to withdraw his protection, which the latter promised to do if the debt were just. Petitioner is now threatened with the penalties of a breach of privilege, which was never in his thought, and prays the protection of the House. *See* L. J., XIII. 308. [The House, after reading this day the above order for Feilding's release (Annex (*b.*) and hearing Snape and Moulton at the Bar, respited the business and stayed

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the order till the Duke came. Later on, the Duke, being come, told the case between himself and Sir Thos. Player, upon which Snape's petition was read, and the orders made as in L. J. M.S. Min. of date.]

8. Oct. 28. Popish Plot (Sir Edmundbury Godfrey).—Draft order of the Committee appointed (among other things) to examine witnesses touching the murder of Sir Edmundbury Godfrey, appointing a Sub-Committee, consisting of D. Bucks, M. Winchester, and V. Halifax, to examine and secure such persons as they shall think fit concerning the murder. [Power to secure as well as examine witnesses was given the Sub-Committee this day by order of the House. (MS. Min. of date: no entry in L. J.) The Committee itself, appointed on the 23rd, had power only to examine witnesses (L. J., XIII. 299).—The proceedings of this Sub-Committee are not found to be recorded, but the Minute books of the parent Committee, appointed 23 Oct., (Nos. **5** and **54**) supply the following:—23 Oct. *Ordered*, That *Sir Thomas Armstrong* attend to-morrow, and that the *L. C. Justice Scroggs** do attend. *Ordered*, That notice be given by fixing papers at the public places of the cities of London and Westminster, that if any person can inform anything concerning Sir E. Godfrey's death, they may be heard at this Committee to-morrow. *Ordered*, That *Rawson*, the master of the White House, near the place where Sir E. Godfrey was found, attend to-morrow. *Ordered*, That the Coroner attend at the same time, and bring all such witnesses as were examined before him.

24 Oct. . . . . *Sir Thomas Armstrong* is asked what he knows concerning Sir E. Godfrey. He dined with Col. Ph. Howard on Tuesday, where he related the passage of the hiring a coachman and coach, who was blinded by one in his coach-box, and drove away his coach with him blind on the box. That some persons went into the coach when he was first seized. That the coach stopping they went out, and after a while charged him that if he stirred in an hour they would kill him, and so left him. That when he pulled off his muffler he found he was near Primrose Hill, and so drove through the lanes into town. . . . . The *Coroner* is called for, who informs that he knows not by whose hand, but believes that Sir E. Godfrey was murdered; that he was strangled. A bruise near his throat on his breast; his head could turn to left side, not to the other. He was found in a posture he could not fall or put himself. The way he was to go was dirty, and no dirt on his shoes. There was a track of a coach in the ground where no coach use to come. *John Rawson* says he is a Protestant. He keeps an alehouse. Little company comes in winter, more in summer. Tradesmen keep a club there. Swanwick, a waterman in St. Giles, who keeps the pump by Noah's Ark. Mr. Moyle [Mulys] lives with his son, Blundell, a milliner in St. Giles, turning into Drury Lane; both come to his house. Mr. Ed. Grove, a strong-waterman, over against the Horse Shoe Tavern in Drury Lane; Mr. Prince, a silversmith in Holborn; Mr. Cawthorne, a joiner, hard by Newmarket; Mr. Bran, a silversmith; Mr. Greenway, an oilman, in Russell Street: Mr. Currey, a silversmith; Mr. Cosey, a pewterer, over against Drury Lane, and in St. Giles. They game not at his house, but spend a groat apiece. *The Coroner* says there is no accommodation there, nor hangings, nor scarce a glass window in the house. *John Rawson* says the two men that gave him notice of

* For L. C. Justice Scroggs' evidence, *see* No. **5** (*Tonge's and Oates' Papers*).

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the body of Sir E. Godfrey were William Bromwell* and John Waters. *The Coroner* gives an account what those two said to him. *Rawson* says that he would have them fetch the sword, staff, &c., and whoever fetched them should pay 1*s*. *The Committee* assure Rawson that he shall be protected and rewarded for discovering the truth. *The Coroner* says there was nothing in the field on Tuesday. *Rawson* says that the men told him of the gloves &c. about 2, and it was 5 when they went out. The reason why they went so late was the rain. Mr. Hornby was one of his company, who told him he heard that Rawson called them Papist dogs. He lives in St. Giles. He conceives the persons, clubbers, to be all Papists except Greenway. *Coroner* asks whether some of these persons were in the next room when the Coroner was there. He says they came to . . . . . Swanwick, Mulys and his son Blundell, and Greenway, Bran and Currey were there to hear. Were any of these to your knowledge priests &c.? *Rawson*: Not to my knowledge. Mr. Greenway, one of the company, reported the rest to be Papists, and Mr. Cosey likewise said so. Mr. Harris, a cheesemonger at the Three Pigeons in St. Giles, said they were Papists. Did the clubbers whisper, or were free? *Rawson* says they used to discourse freely. Turner, a strong-waterman, one of the company clubbing at his house. *The Coroner* says the cane, gloves, sword and belt were owned to be Sir E. Godfrey's. *Rawson* says the clubbers were at his house the Sunday after Sir E. Godfrey was missing. *The Coroner* says Sir E. Godfrey had 7 guineas, 4 broad pieces, 4*l*. in silver and 3 rings about him. *The Coroner* and *Rawson* withdraw.—*Eod die*. p.m. *Mr. Michael Godfrey* and his brother are called for in *Committee*.† Was Sir E. Godfrey threatened by anybody? *Mr. M. Godfrey*: I can say little to it; but Sir Edmundbury said to my wife, "If any danger be, I shall be the first shall suffer." We can trace Sir Edmundbury only to about 3 on the Saturday in the afternoon, and no longer. Mr. Gilsthrop, an apothecary, in Hatton Garden, heard Frith, who lodges at the Swan, a stationer's on Snow Hill (and also Mr. Atwood heard the same), that Frith said if Sir E. Godfrey be found, he would be found with two wounds on his breast. They are summoned to appear to-morrow morning. The parties named by John Rawson are to be summoned to attend this Committee to-morrow at 4, and to be sworn at the Bar to-morrow morning. That Mr. Mulys attend to-morrow morning. Order to Sir Robert Hanson, Sir William Turner or Sir Thomas Davies, Aldermen of the City of London, to secure Frith, in order to his being examined by the Committee to-morrow morning.—25 Oct. *Mr. Gilsthrop* says on Tuesday sennight he called at Frith's lodging, and spoke with him. Frith said he heard Sir E. Godfrey was found killed, and that he had two stabs in his breast. This was at 3 o'clock in the afternoon, before he was found, Frith is an ancient gentleman, a Protestant, I think. *Mr. Atwood* says on Wednesday, the 23rd, he asked Frith what he said concerning

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* A later entry of 11 Dec. records that W. Bromwell of St. Giles'-in-the-Fields, baker, was discharged that day from Newgate on his own bail for 100*l*., and that of two sureties for 50*l*. each, to appear at the next Quarter Sessions of Middlesex. John Rawson entered into recognizance of 40*l*. to give evidence against Peter Gumley, of St. Clement Danes, who was also released on the same bail as Bromwell. His sureties were W. Williams, of St. Clement Danes, and G. Nodes of St. Brides', Fleet St.; those of Bromwell were John Langley, vintner, and G. Richardson, haberdasher, both of St. Giles'-in-the-Fields.

† For the rest of Michael Godfrey's evidence, which relates to Tonge's and Oates' papers, *see* No. **5**.

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Sir E. Godfrey. Frith denied to him, but after acknowledged he did say somewhat. *Mr. Frith* appears and says he does remember he had communication with Mr. Gilsthrop, and says he told him he heard at 1 o'clock that Sir E. Godfrey was found dead, but denies that he said anything of the wounds. That he heard it of the Resident Salvetti. They are ordered to attend the sitting of the House. The direction of the House to be desired. *Mr. Mulys* says that five or six days before Sir E. Godfrey was missing, he spoke with [him] about Oates, and Sir Edmundbury prayed at parting to preserve D. Ormond, upon which I pressed to know more. Godfrey said that the Duke was to be destroyed, that he said he had been blamed by some great men for not having done his duty, and by other great men for having done too much. [Comp. C. J., IX. 520].—*Ordered*, That Mr. Welden, in York Buildings, and four of his servants attend the Committee presently. *Mr. Greenway*, summoned yesterday, appears. Says he lives in Russell Street, oilman, in St. Martin's parish. He knows Mulys and Blundell, and has met them at the White House. He was not of any club, but met sometimes there. That they paid all alike, coming sooner or later. What discourse had you? I think many of the company to be Papists. I never heard any discourse about State matters. Cosey is a Protestant. He withdraws. He and the rest to attend the House at 11 to be sworn, and attend the Committee in the afternoon . . . . *Mr. Welden* appears. I saw Sir E. Godfrey on Friday night before he was missing. He was at my house with two or three neighbours. Sir Edmundbury was in good humour. I have heard him say formerly that he should be a sacrifice at one time or other. He showed me his book, which I know if I see it. He had it then in his pocket. Mr. Welden is to be sworn and to attend in the afternoon, and Mr. Robinson to be sent for and sworn.—*Eod. die* p.m. It is moved that no person may be admitted to speak with Mr. Coleman, neither wife, nor priest etc., and that he may be speedily examined to what passed between him and Sir E. Godfrey on Friday, the 28th of September. This to be reported to the House. [*See* L. J. XIII. 303, 307, 308]. *Mr. George Welden*, sworn, says: Sir Edmundbury was a friend of mine, and loved me, and told me he could not be with me so oft as formerly. He came on Friday night with officers of St. Martin's, and at going away I asked him to dine with me on Saturday. He said he could not tell me whether he should. On the 28th September Mr. Coleman came in, and sent to speak with Sir Edmundbury. Sam. Idells said he went to call Sir Edmundbury, and told him (as Coleman had instructed him) that one Clarke would speak with him, if company were with him (as there was); otherwise he should plainly tell him Mr. Coleman would speak with him. When Mr. Coleman and Sir Edmundbury were together at my house, they were reading papers. He often said to me he should be a sacrifice at one time or other, and told me (upon pressing him) that there would not be bloodshed or cutting of throats, but there would be alteration of Government . . . . . *Roger Frith*, sworn, says he will not diminish what he said, occasioned by what the Resident of the Duke of Tuscany, Salvetti, said that Sir E. Godfrey is dead on Thursday at 2 o'clock; the young Jesuits are grown desperate: the old ones would do no such thing. I told it to Mr Gilsthrop that Sir E. Godfrey was dead. I do not remember any word of "two wounds in his breast" spoken by myself or anyone else. The other witnesses attending are dismissed till they shall be summoned again.—26 Oct. the *Marquess of Winton* informs the Committee that he has been informed by some persons that they heard a man, whose name he knows not, say that he knew the

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coachman that carried Sir E. Godfrey out of town. He will bring the names to the clerk, who is to send an order to summon them to attend.—28 Oct. One *Evans*, that lodges at the Cradle in Salisbury Court, is ordered to attend presently at M. Winton's motion . . . . . *D. Bucks* moves that two or three may be joined with him as a Sub-Committee to enquire into the business of Sir E. Godfrey. His Grace desires the Marquess of Winchester and Viscount Halifax. Ordered accordingly.*—11 Dec. Ordered, That the keeper of Newgate [Capt. Richardson] be required to allow such liberty of the prison to *Francis Corrall*† as other prisoners there enjoy.—12 Dec. *Samuel Terrell*, living in White Hart Yard, carpenter, in the Strand, (sworn), says he never spoke with Mr. Bedloe. Says he knows Ferrera, one of the Queen's priests, and heard him on the 6 Nov. last enquire at Somerset Stairs for a Greenwich waterman, and heard him wish John Dyer send such an one to him, and the said John Dyer told him that the said priest sent two men away by the evening tide. *John Dyer*, waterman, lives on Southwark side, (sworn), says that last month one Davy, that lives at Somerset House, enquired of him for a Greenwich boat to carry him to the "Charlotte" yacht, and that evening I saw the said Davy and another man go into a boat which I knew not. Dyer and Terrell, Bedloe and Ferrera to be here at 4.—*Eod. die*, p. m., *Ordered*, That Bedloe, Mr. Ferrera, Terrell and Dyer attend to-morrow.—13 Dec. *Mr. Bedloe* and *Mr. Terrell* are called in. *Terrell* gives the same account now that he gave yesterday. *Dyer* says Capt. Saunders is captain of the "Charlotte," wherein Davy and the other person that was sent from Somerset House went for Flanders. *Mr. Bedloe* says that he writes nothing in his chamber but the Lords in the Tower know it in half an hour. That the Yeomen of the Guard have power to see whatever I write; they will come into my room, whether I will or no. Several gentlemen have told me that they could give evidence, but they are afraid of being made prisoners as I am. The Yeomen of the Guard tell me that some persons at the coffee-house inform them that the Lords in the Tower have enough against me, whatever becomes of them. He says he has no money allowed him to give to people that he sends for for discovery, though they be never so poor. The *E. of Essex* and the *Bishop of London* are desired to acquaint the King with Mr. Bedloe's complaints. —*Mr. Godfrey* is called in, and complains that Atkins is a prisoner at large and not in chains. He offers a paper of several questions to be asked Captain Vittells. *Mr. Bedloe* says Atkins' sister and two great fellows came to his chamber door and threatened him what they would do if her brother were hanged. *Capt. Vittells* is called in, and sworn before the Bishop of London. Says he commanded the "Catherine" yacht till 18 Oct. last. Atkins, Pepys' clerk, was on

* On 8 Nov. Bedloe was examined at the Bar, and stated, in addition to what appears in L. J., XIII. 343, that he was not at the murder, but was spoken to to be one to do it; that the body was carried out in a chair to Clarendon House, and hence in a coach. During the proceedings after his examination, it was moved and directed that no Lord nor Lord's son might go out of the House. Bedloe was finally ordered to attend the Committee. (M.S. Min. 8 Nov.) On 21 Nov. Bedloe, at the Bar, "says he knows not Philip Hungate, Howard and Turner, nor Willis a tailor, whom the L. Chancellor tells him were privy to the death of Sir E. Godfrey. He has heard of one Lawson, a priest." (*Ib.* 21 Nov.)

† Corrall, a coachman, of Gunpowder Alley, Shoe Lane, had been arrested by Capt. Richardson at the instance of one Fowler, who kept the Half Moon Tavern in Cheapside, on suspicion of having carried away Sir E. Godfrey's body. *See* Fowler's evidence in Mrs. Cellier's trial for libel.—Howell's State Trials, Vol. VII.

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the yacht on the 14 Oct.; he came aboard about half-past four with two gentlewomen, and stayed aboard till about a quarter past ten o'clock. Witness sent a wherry of four oars back with him, which he gave order to be made ready a little past eight o'clock. His people informed him that they put ashore at Billingsgate at half-past ten, and the clock struck twelve as they were coming back at the Irongate. They also informed him that they went no further than Billingsgate, because it was against tide. They also told him they saw Mr. Atkins in a coach with the said women when he went out of their boat. Witness never heard Atkins speak of Child, or of any one's vilifying his master. He had been sent for by Pepys to Derby House to know what time Atkins came from him, and to bring the men with him that brought Atkins from the yacht. He signed no paper at Derby House, and knows not that the said men signed any. Afterwards he said he signed a piece of paper that the men's names now at the door were to. He knows not whether it be at Derby House. Thinks he has a copy of it, but cannot now find it. He says William Tripet did not sign the note. *William Tripet* [Tribbett, Howell's State Trials vii., 248], boatswain, is called in and sworn before E. Clarendon. Says Atkins came aboard the "Catherine" yacht about four o'clock on 14 Oct., and stayed there till after 10, and before 9 o'clock command was given for a boat to be got ready to carry him off. He was not in his company aboard. He remembers not that he signed any papers at Derby House nor anywhere else, but owns he was sent for thither by Mr. Pepys. When Atkins went from the ship, he asked him how he did, and bade him good night, and did not hear him speak at any time of Sir Edmundbury Godfrey.—*Richard Dickinson*, sworn before E. Clarendon, says he was one of the men that rowed Atkins from the "Catherine" yacht. He came aboard a little after 4, and went off a little after 10. Witness signed no note at Derby House, but at Greenwich he signed a paper concerning landing Atkins at Billingsgate, where he landed him about half-past eleven. He took ashore a Holland cheese and six bottles of wine with him, which he put into the coach with Atkins. Says Atkins was much in drink and slept most part of the way up.—*George Stephens*, sworn before E. Clarendon, begins (before he is asked) to tell the story of Atkins; but being asked who bade him tell that story, he says Capt. Vittells made him set his hand to a note concerning landing Atkins, and told him he must swear it, for the man (viz., Atkins) was brought into trouble. He never saw the note since. He was sent for to Mr. Pepys, who asked him what time of night they brought Atkins ashore, and said it was of great concernment to him. Atkins slept most of the way to Billingsgate. Witness heard no discourse aboard nor in the boat about Godfrey.—*William French*, sworn before E. Clarendon, says (before asked) that Mr. Atkins came off aboard at half-past ten, and they landed him at Billingsgate at half-past eleven and put him in a coach. Being asked who bade him say this, he says he signed a paper at Greenwich of what he was to swear. He says, We four that rowed him up signed together: the paper was ready written by the captain before we came to sign it, but I heard it read over first, and am sure it was true. He further says that the boat was given orders for after eight o'clock to carry Atkins off, who came aboard between 4 and 5. He says he cannot read, but is a Protestant. He remembers not whether the captain told him at the signing the note that it was of great concernment to Mr. Pepys or Atkins; And further says he neither had nor was promised any reward.—*James Holcroft*, sworn before M. Winchester, says (before asked) that on Monday seven or eight weeks since, he was aboard the "Catherine" yacht at 9 o'clock, and carried Atkins off a little after 10. Being asked whether he signed any

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paper, or was sent for to Derby House to Mr. Pepys, he says he signed no paper, nor was with Mr. Pepys, but the other men told him they had signed a note of the time they had carried Atkins ashore. Witness is a waterman, and belongs not to the yacht, and knows not that his master is to be paid for any time that he shall spend in this business.—*Mem.* That the said Holcroft, after the Committee was adjourned, said that Wm. Tripet and the within-named seamen told him yesterday that he was to be here this day to testify what time he and they brought Atkins ashore.

21 Dec. *Ordered*, That *Prance*, now in the Gatehouse, attend on Monday between 8 and 9 o'clock, and that Mr. Bedloe attend at the same time. . . . *Mr. Bedloe* is called in. Informs the Committee that Mr. Miles Prance, who is now present, is the very same man that was at the carrying off of Sir E. Godfrey, whom he took to be the officer that attended in the Queen's Chapel. *Miles Prance* says he is a Protestant now, having lately taken the oaths, but he was formerly a Papist. Owns he has made several things for Groves, Pickering, Fenwick, and Ireland, and having said in a coffee-house the Sunday after they were taken, that they were very honest men. Some persons in the said coffee-house told him he had best have a care how he called traitors honest men. Says he was drunk when he spoke those words, and that Bois and his brother were with him; and says he kept out of the way because he had spoken those words, and that he was at home in the daytime, but kept out of the way at night, and that he can bring his own servants to witness that he never lay out of his house the last two years but those three nights that Sir E. Godfrey was missing. Denies he has seen John Rawson of the White House this twelvemonth, or having gone to the Queen's Chapel once a month. Having denied at first that he hired a horse to go out of town, he afterwards confessed he did hire one when the oaths were to be administered to Papists, but he was arrested, which prevented his going. He acknowledges his wife is a Papist, but he did not intend to take her with him. Says he changed 300*l.* for guineas, but it was for Mr. Owen, a layman. He denies that he is guilty of Sir E. Godfrey's death, or of carrying him out after his death. Says he wished his maid (about the time that search was made for arms) to carry an halbert over the way, and that on the Monday at night when Sir E. Godfrey was missing, he lay at a house over against his own house. He says he has not worn a periwig for one hour these ten years, but confesses his wife's hair was cut off a twelvemonth since to make him a periwig, but he never wore it. Says his wife's hair is of a light flaxen colour, and that the periwig is now at home. Confesses he has changed guineas for Groves and has sold him guineas, and having at first denied that he ever received any money of Groves, confesses afterwards that he had received money of him for work. He denies he knows Welsh or Pritchard, but owns he knows Pickering, and that he was in the said Pickering's company two or three days or a week before he was taken, which, he says, was the last time he saw him; that it was in his shop, and he thinks he went into the back room to see his wife, who was smoothing there. He says the said Pickering officiated as a clerk in the Queen's Chapel. He denies he knows Le Phaire, and thinks he knows not Capt. Pugh. He says he was at home last night from 5 o'clock to 11. The depositions of Mr. Wren and his wife, Mr. Fitzer, Mrs. Trevor and Charles Mannings are taken upon oath by E. Clarendon in the presence of the Committee, and subscribed by them. *Miles Prance* is sent close prisoner to Newgate by warrant from the M. of Winton, D. Bucks etc., as Justices of the Peace for Middlesex. *Mr. Snow* is directed to wait on Sir Charles

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Harbord for a deposition he has taken against Prance. Charles Mannings is commanded to attend again on Monday morning; so is Rebecca Dawkin, whom Mr. Wren undertakes to bring.—23 Dec. (See also Annex *a*.) *Mr. Warcup* is called in, and acquaints the Committee that he has searched Prance's house, and has brought a periwig, a book and a letter with him, which he found there. The letter is read. Says Mrs. Prance denied at first that she knew Mr. Le Phaire, but afterwards owned she did know him, and that he went for a priest. *John Rutland*, the constable, sworn before the Bp. of London, says Mrs. Prance informed him that she had removed a trunk of plate, which when he asked her the cause of, she said she did not know what might become of her husband, etc. The said *Rutland* and *Joseph Hill* make depositions before the Bp. of London. *Ordered*, That the Clerk give the constable a note for the periwig and book brought in by him. *Sir Charles Harbord* delivers in a deposition of Elizabeth Dakins [Dawkins] against Prance, taken before him. *Ordered* That the witnesses that now attend against Prance attend again to-morrow morning.—26 Dec. (See also Annex *b*.) *Ordered* That the keeper of Newgate attend with *Prance*, *Berry* and *Hill* to-morrow at 9. *Ordered*, That the Keeper of the Gatehouse bring *Green* to-morrow at 9.—27 Dec. *Miles Prance* is called in. Says *Gerald* told him there would be a good reward for him if he would kill a man, and that the Lord Bellasis would give him the reward. He said it was no sin to kill him, because he was a wicked man, and had done the Queen and Irish ill service. He says he knows not *Atkins*. He has told all he knows. Believes if he had his liberty of going abroad he could discover some persons, whose names he knows not, that might be concerned in the Plot. He says *Fenwick*, *Ireland*, and *Groves* told him *L. Petre*, *L. Bellasis*, *E. Powis*, and *L. Arundell* were to command the army. He never wore a periwig out of his own house in his life.—*Lawrence Hill* is called in. Says what *Prance* has said against him is very untrue. He never saw Sir E. Godfrey since the latter end of August last. He never saw Fitzgerald, an Irish priest. He withdraws.—*Robert Greene* is called in. Says he never knew Sir E. Godfrey, dead or alive. He is 54 years old. He never killed a man in or near Somerset House. *Dominick Kelly* is gone into Wales with his lady; her husband's name is *Sir Edward Mostyn* in Flintshire. He knows Fitzgerald.—Ordered that the House be moved that the said Kelly may be sent for in custody.—*Henry Berry* is called in. Says he is innocent, and knows not of any other persons being concerned in Godfrey's murder. He knows *Hill*, but not *Gerald*. He let no sedan out the night that Sir E. Godfrey is said to have been carried out. He knew Sir E. Godfrey so little that if he saw him among other persons he should not know him. *Meeds*, the Gentleman Usher, ordered him to stop the coaches coming into Somerset House, when the Queen was there (which was the time Godfrey was missing), and he remembers not that he ever had any such orders to stop the coaches before nor since. The sentries were at the door. He withdraws.—*Prance* is called in again, and asked how wax candles came to be dropped on Godfrey's clothes? He says he took no notice of it; observed no wax candles to be in the room. His company had a lanthorn. —Ordered that Sir E. Godfrey's two brothers and Sir Edmundbury's servants go to Newgate, and look on the prisoners who have been this morning examined, and give the Committee an account whether they know any of the said prisoners, or whether they have seen any of them with Sir E. Godfrey at any time.—*Capt. Richardson* acquaints the Committee that *Hill* is kept in the dungeon, which the Committee approves of.—*Henry Green's* petition is read. Ordered that the House be acquainted with it.]

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Annexed:—

(*a.*) 23 Dec. Draft order of the House directing D. Bucks and other Lords to examine Miles Prance in Newgate, and to inform him of his Majesty's gracious pardon, on his making full discovery. L. J., XIII. 431. *In extenso.* [From the MS. Min. of date it appears that the motion for an Address to the King was made by M. Winchester, and agreed to for "a person now in custody, . . . whoever he be," and that E. Shaftesbury informed the House, after the King's promise of pardon was reported, that the "person" was Miles Prance.]

(*b.*) 26 Dec. Draft order of the House referring to the Committee for Examinations the further examination of Miles Prance, R. Greene, L. Hill, and H. Berry. L. J., XIII. 439. *In extenso.* [The examinations of the above at the Council, reported this day to the House by D. Monmouth, were referred to the Committee to examine the prisoners further, and to prepare what was fit to be communicated to the Commons. (M.S. Min. of date.)]

(*c.*) 27 Dec. Draft order of the House directing the Serjeant-at-Arms to attach Dominick Kelly, charged with the murder of Sir Edmundbury Godfrey. L. J., XIII. 441. *In extenso.* [Kelly was to be sent for out of Flintshire in custody. M.S. Min. of date.]

9. Oct. 31. Popish Plot (Preston, &c.)—Justice Povey's warrant for the arrest of [Mark, L. J., XIII. 331] Preston, Schoolmaster, and [Dennis Glisson, L. J., XIII. 331–2], Schoolmaster, living in Warwick Street, of whom notice would be had from Lieut. W. Sorocold; and Webster, Schoolmaster, and Moore, bookseller in Duke Street, Covent Garden, and his brother living in Holborn, and W^m^ Smith, of Islington, Schoolmaster, the above persons to be brought before the House. *See* L. J., XIII. 312. [Glisson is described as an Irishman. (M.S. Min. 1 Nov.) Moore's brother, of Holborn, is spoken of as Matthew Turner in L. J., XIII. 332. Oates said he knew not Smith, but that there was a gentleman, Mr. Kirby, of the Guards that heard him say he would "dismember the King." (M.S. Min. 1 Nov.) *See also* No. **10.**]

Annexed:—

(*a.*) List of the six persons, with their addresses, as above.

10. Nov. 1. Popish Plot. (Langhorne, Preston, &c.)—Draft entry of proceedings relating to Langhorne, Preston, Smith, Glisson, Moore, and Turner, together with Oates' Examinations. L. J., XIII. 331-2. *In extenso.* *See also* No. **9** and L. J., XIII. 312.

Annexed:—

(*a.*) 2 Nov. Petition of W^m^ Smith, Schoolmaster of the Free-School at Islington. Petitioner, who stands committed to the Black Rod by order of the House, prays for his release. L. J., XIII. 332, 334.

(*b.*) 4 Nov. Petition of Matthew Turner, Bookseller, near the Turnstile in Holborn. Complains that notwithstanding his discharge on the 1st inst., the guard of soldiers set upon his house has been continued by Lieut. Sorocold, to petitioner's great charge and the prejudice of his trade. Prays that the guard may be dismissed. L. J., XIII. 338.

11. Nov. 2. Popish Plot. (Papists in the Guards.) List of Commissaries' names. L. J., XIII. 335 and MS. Min. of date. [From the MS.

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Min. it appears that on 22 Oct. it being moved that the officers and soldiers now in the army, who are Papists, may at present be removed farther from the town, the sense of the House concerning this matter, upon the debate, being understood, it was agreed that there should be no Address, but it was presumed the thing would be done. On 24 Oct. the Duke of Monmouth reports what numbers of Papists are in his regiments of horse and foot and in Lord Dumbarton's regiment; that they are but few; that the soldiers are to be cashiered and the officers so to be regulated by his Majesty as may give satisfaction. On 26 Oct. the D. Monmouth further acquaints the House that he has appointed three officers to attend the King wherever he goes, and to suffer none but his own servants to come near the King, and the band of pensioners do also constantly attend his Majesty On 1 Nov. the House entering into debate of Papists in the Guards, the Duke of Monmouth gave the House an account of the care he had taken. It was moved that his Majesty might be humbly moved to issue out a proclamation* declaring what reward he would please to give to those who should discover any persons in the Army who had taken the tests and were revolted to be Papists. (MS. Min.) The Muster-Masters were then ordered to attend (*ib.* L. J., XIII. 331). On 2 Nov. ***John Baynes***, Commissary of the Musters, deposed, in addition to what appears in L. J., that all the officers had taken the oaths, that there was no order about the common soldiers, that some officers had been turned out who had not taken the oaths, and that the vacancies had not been filled up. M.S. Min. He then delivered in the above paper. L. J., XIII. 335.]

12. Nov. 2. Popish Plot (Thompson.)—Petition of Mary, the wife of Nathaniel Thompson, a printer. Petitioner's husband is a Protestant, and on Sunday night [27 Oct.] was seized and carried to the Gatehouse. Her house has ever since been set about with a guard, so that she and her children have no liberty to look after sustenance, neither will anyone pay them any money that is owing to them. Prays that she and her family may be set at liberty to seek their bread. L. J., XIII. 334.

[The Minute Books of the Committee of Examinations (Nos. **5** and **54**) supplement the Journals as follows:—26 Oct. L. Lovelace informs the Committee that a suspicious person is taken and now in the Painted Chamber, where the crowd is so great he can hardly be kept, and he therefore desires he may be called in. William Sorocold, Lieutenant under L. O'Brien, brings the man in, and says that in Mr. Ashton's shop, a milliner at the Adam and Eve, Russell St., he heard this James Thompson, a Papist, who lives in Eagle Court, over against Somerset House, say that he wondered that the nation should not be wiser than to give credit to Oates, who is a great rogue, and he would maintain him to be so. *Ordered*, That Thompson be kept in custody, and that his house be searched, and that James Ashton attend. (In the House this day James Thompson was accused by Sorocold at the Bar, on the information of Oates, of railing against the proceedings of the Parliament; and owned himself to be a Roman Catholic. *Ordered*, as in L. J., XIII. 303. His trunks and papers were seized; among the latter was one with the writing "Go to such a place, and there is money for yourself and others." MS. Min. 26 Oct.)—28 Oct. *W. Snow* gives an account of what he has done about Thompson's books and papers, and

* An Order in Council was published on 2 Nov., offering a reward of 20*l.* for the discovery of any officer or soldier of the Guards perverted to the Romish religion. —Parl. Reg., Vol. XXV., p. 217 *note*.

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that the books are with the Bp. of London. *James Sorocold* informs the Committee what he has done about James Thompson. *Snow* says they have found near 30,000 Catechisms and other books, which are with the Bp. of London. The Committee direct that money, goods, and other things not liable to the present occasion, be restored. The Lieutenant to be considered for his pains.—29 Oct. Thompson's printer of the Popish Catechisms and another are called in. *William Vere*, the binder, and *Nathaniel Thompson*, the printer, say they are Protestants. *Sorocold* says the printer confessed to him that he had printed divers thousands of books for James Thompson. *Nathaniel Thompson* says that the books that he printed are neither prejudicial to Church or State. One Drew printed part of these books for Lawrence. *Sorocold* says when he came to search James Thompson's house, Thompson's wife charged him with stealing two pieces of ribbon, which he found upon Jane Williams—Mrs. Thompson's ribbon, with a note in it with these words "Mr. Holland, it is now high time to put" . . . . *Jane Williams* denies she knew anything of the note, but that she had a piece of ribbon which her sister gave her. *William Vere* says James Thompson three months since put a boy apprentice to him, and sent about fifty books with him to bind, and after this he sent another parcel to be bound. *William Preston*, the porter, says: I carried reams of paper from James Thompson's to Nathaniel Thompson's, and I some days after received it again printed at the said Nathaniel Thompson's, and carried it back to James Thompson's. *Ordered*, That all the said persons except Nathaniel Thompson, the printer, be freed from their present restraint, and that the House be moved that the printer may be taken into custody by the Black Rod, or sent to prison. (L. J., XIII. 308.)—30 Oct. *Ordered*, That Vere, the book-binder, have his book of accounts and acquittances again, which Sorocold produced before the Committee yesterday.—(On the 31st, upon information that Sorocold had taken James Thompson's wife carrying away some papers, the House ordered the papers to be brought to the Parliament Office. MS. Min. 31 Oct.)—6 Dec. On information of *Peter Gill*, touching Sorocold's taking 22*l.* odd money and a piece of ribbon of Mrs. Thompson for concealing her goods, *Sorocold* is called in, and produces several acquittances from her for money which he had of hers, and denies that he ever received any other money of her, but owns that she gave him a piece of ribbon. *Ordered*, That Gill, Sorocold, and James Thompson's wife and daughter attend at 4.—11 Dec. *Sorocold* to be summoned to attend the Committee, upon complaint that he has arrested Thomas Evans and others. *Sorocold* appears, and says that he has done nothing but according to law. He arrested Thomas Evans for what he could not prove against him. *Ordered*, To report his carriage to the House. (L. J., XIII. 412).—14 Dec. A Petition of Thomas Evans against Sorocold, etc., as also a Petition of Sorocold confessing his fault in arresting Gill and Evans, are read. He is directed to bring Gill and Evans to the Clerk, to testify that he has discharged his actions against them; which, when he has done, their Lordships will give order for his discharge. *Evans* says he has served him six weeks and he will not now pay him. He promises to give him 10*s.* more. (James Thompson was released this day. L. J., XIII. 417).—21 Dec. Ordered, That the Clerk peruse James Thompson's papers, and give the Committee an account on Monday what bills or bonds or accounts are there.—23 Dec. The Order of the House relating to Thompson's papers (*ib.* 423) is read. *Memo.* That W. Snow delivered then to James Thompson a Tract of Philosophy in writing, which was found in his house. Ordered that the Clerk search Thompson's papers and give the

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Committee an account to-morrow.—30 Dec. Ordered, That the Clerk attending the Committee deliver to Mr. Boteele (*sic*), one of the Commissioners of Bankrupts for James Thompson's estate, such papers of Thompson's as were taken from him as relate to his estate, and that he deliver to the Bishop of London any other of his papers as relate to Popery.]

Annexed:—

(*a.*) 4 Nov. Petition of Elizabeth Thompson. Her husband James, being a Roman Catholic, is now in prison. Prays that a trunk of goods, which was seized, may be restored, and the soldiery dismissed her house. L. J., XIII., 337.

(*b.*) 8 Nov. Petition of Nathaniel Thompson, Printer, praying for his discharge, &c. L. J., XIII. 343.

(*c.*) 21 Nov. Petition of same, making submission, and praying to be discharged on bail. L. J., XIII. 369.

(*d.*) 14 Dec. Petition of James Thompson. Was committed to the Gatehouse on 26th October for dangerous words uttered by him in disparagement of Mr. Oates, whom he acknowledges he never knew, and for his rudeness to the House. For both these offences he begs pardon, and is ready to make submission. Prays to be discharged, so as to settle with his creditors in London, and spend the residue of his old age in Flanders. L. J., XIII. 417.

(*e.*) 14 Dec. Submission, signed by James Thompson, acknowledging that, being accidentally moved to discourse concerning Mr. Oates' discovery of the horrid plot, he rashly and passionately expressed himself to the disparagement of Mr. Oates, of whom he had no personal knowledge, nor any reason to contradict or traduce his evidence concerning the plot. L.J., XIII. 417

(*f.*) 19 Dec. Petition of Francis Dashwood, Christopher Tooley, and others, the creditors of James Thompson, praying that his bonds for 800*l.* due to them, which are now in the custody of the House, may be delivered up to the Comm^rs of Bankrupt, and that Thompson may be secured for three months in order to his examination. L. J., XIII. 423.

(*g.*) Bills for work done for, and types, &c. supplied to Mr. Thompson. *Four papers.*

13. Nov. 2. Sir R. Harding *v.* Edge.—Petition of Sir Rob^t Harding, of Gray's Inn, Knt. Petitioner is Trustee, with others, of certain Charities charged on the Manor of Brampcote and other lands in Notts, the property of Henry Hanley, deceased. The charities are charged on the old inheritance only, but claims were brought in respect of the acquired lands, which Petitioner had bought, and Petitioner had spent 6,000*l.* above his receipts in costs and improvements. Afterwards, a Commission of Charitable Uses was sued forth, directed to Ralph Edge, the attorney who had conducted the suits against Petitioner, and to Mr. Thomas Charleton, Mr. Willoughby, Mr. Hall, and others, all parties interested against Petitioner, who decreed him to pay 800*l.* to the charities and 30*l.* costs; and this was followed by a Chancery Decree charging him with still greater sums. Prays for stay of proceedings, and that Ralph Edge be ordered to answer. L. J., XIII. 469. [Brought in this day. M.S. Min. See also *Vernon* i. 143, and *Cases* in *Chancery* ii. 94.]

Annexed:—

(*a.*) 28 April 1679. Answer of Ralph Edge, Gent., on behalf of the Poor of Hanley's Hospital in Nottingham and other Charities. Hanley had granted his property to Francis Pierpont, Esq. and

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others, in trust for the Charities, and Appellant, being a lawyer and an active man, had got the entire management into his own hands, as also the title deeds; and, having bought certain of the lands, he claimed to be the possessor of the whole, and dispensed the Charities as of himself. One Deed under which he claimed had been torn up, and pieced together again by the Appellant, who in Chancery claimed to have spent 8,000*l.*, which he now abated to 6,000*l.* Chancery had ordered Appellant to deliver up the lands to Mr. Pierpoint and Mr. Piggott.—[8 April. It being moved that Mr. Pierpoint may answer to Sir Rob. Harding's petition, nothing done on it. (MS. Min.) On the 9th, Edge was ordered peremptorily to answer (L. J., XIII., 507.) On the 10th it being moved that Counsel may be assigned to Sir Robert Harding, it is ordered that if he make it appear to the House that Counsel shall refuse to plead for him, the House, on his application, will assign them to be of Counsel for him. (MS Min.) The appeal never came to a hearing.]

14. Nov. 2. Garter King of Arms.—Statement of Sir William Dugdale, Garter King of Arms, that having been required to bring in a List of the Nobility, he is unable to do so, as no certificate of the deaths of several peers had been sent to the office of Arms; and he is also in doubt as to the precedence of Lord Ferrers and the Earl of Feversham. He craves the directions of the House, and further complains that he receives no fee upon the succession of any peer by descent. *Holograph.* See L. J., XIII. 334 and MS. Min. 30 Oct. [The matter was referred this day to the Committee for Privileges, who on 4 Nov. ordered that Lord de Grey should be heard against the precedence of Lord Ferrers, and the Earl of Bedford against that of the Earl of Feversham. Priv. Book. MS. Min. 4 Nov. Nothing further is recorded.]

Annexed:—

(*a.*) Notes by Sir W. Dugdale of the creations of Earl Rivers and Visct. Campden, to be used at the hearing of the Earl of Feversham's precedence. *Holograph.* Priv. Book, 4 Nov.

15. Nov 4. Popish Plot (Sorocold).—Petition of Lieut. W. Sorocold, complaining that his wife and family are in danger of their lives, and praying their Lordships to provide for his safety and the encouragement of his further service. L. J., XIII., 336. [Sorocold deposed this day at the bar that his maid-servant was assaulted last night and knocked down, and he was threatened to be revenged upon. He knew not the persons; he was at home with a prisoner. (M.S. Min.)]

Annexed:—

(*a.*) 14 Nov. Draft entry of proceedings relating to Lieut. Sorocold and the Lord Mayor. L. J., XIII. 356. *In extenso.* [A paper of Sorocold to the Lord Chancellor was read on 12 Nov., concerning his discovery of a priest and some papists. Being called in, he said that in Churchyard Alley, Jewen Street, there was a printing press for popish books, and that the Lord Mayor had refused to give him a warrant to bring a priest before him. M.S. Min. 12 Nov., L. J., XIII. 354.]

16. Nov. 6. Papists in London (Licences).—Draft entry of proceedings this day respecting the granting of licences by Lords of the Council to papists to come to, or stay in town. L. J., XIII. 340. *In extenso.*

17. Nov. 6. L. Howard of Escrick.—Petition of William, Lord Howard, Baron of Escrick, praying to be admitted to his place in the

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House as heir male to his father. L. J., XIII. 339. *In extenso.* [The Lord Chancellor informed the House this day that the last Lord Howard's widow might be with child, and if she bore a son, there might be two Lord Howards. (M.S. Min.) The House, however, granted the writ. *See also* No. 3.]

18. Nov. 7. Popish Plot (Sir Robt. Walsh).—Petition of Sir Robert Walsh, Knt. and Bart. Petitioner is here to attend their Lordships' pleasure, his papers all seized, which he is not sorry for, only for such as concern his domestic affairs. Nothing can be charged against him in respect of his loyalty or duty as a good subject. Prays to be released. L. J., XIII. 341. [He was arrested on the 6th on information given by the Earl of Clarendon. (L. J., XIII. 339, 341). On the 7th, his papers were brought in by Sir Edward Carteret before the Committee of Examinations and begun to be read. Ordered, That the clerks peruse the papers and give the Committee an account of them at the next meeting, and that he attend them. (Exam. Book, 7 Nov.)—On the 8th Mr. Walker gives the Committee an account of his papers, some of which are read, amongst them a Testimonial under the hands and seals of Peter Talbot, Archbishop of Dublin, and others. Several other letters of Walsh's are read. An Information given to his Majesty concerning Dunkirk, etc., without date. *Sir Robert Walsh* is called in, and asked what he knows concerning the Plot against the King, etc. He says he has suffered as much as any man living. I never knew anything directly nor indirectly against the King's life, etc. He gives a narration of his imprisonment at Brussels. When I came out of Ireland nine or ten years since, I got the above-mentioned Testimonials of the Clergy in Ireland, in order to my travelling abroad to get some employment. I did not see them sign them, nor do I know the hands of the Bishops, but one Barton, a Jesuit at Dublin, procured it for me. The other Testimonial, signed at Waterford, I think I know the hands. He withdraws. Ordered to report as in L. J., XIII. 343, (Exam. Book, 8 Nov.)]

19. Nov. 16. Popish Plot.—Draft of four resolutions agreed to by the Committee this day, and reported on the 18th. L. J., XIII. 361. *In extenso.* [The MS. Min. of the 18th add that the reward proposed for the discoverer of the murderer of Mr. Powell was 500*l.*, and that Sir Ellis Leighton was ordered to be heard before the Committee.]

20. Nov. 18. Popish Plot (Blank Warrant).—Draft resolution, agreed to by the Committee this day, to move the House for a blank warrant to arrest some suspicious persons, who are at a distance. Reported, 19 Nov., L. J., XIII. 363. [The MS. Min. of the 19th add that the resolution was reported by M. Winchester, who gave as a reason, that the discovery of the persons' names might be a means of their escape.]

Annexed:—

(*a.*) 21 Dec. Draft order for the attendance on the 23rd of Edward Turberville, lately employed by the Committee for Examinations. L. J., XIII. 429. *In extenso.* [Turberville, being sent for by the Committee this day, gave them an account of his mission into Monmouthshire to execute the blank warrant. He said he was stopped at Cowbridge, and notwithstanding he showed them the Earl of Shaftesbury's pass, was taken before Mr. Wyndham, who sent him back to be examined by the bailiffs. These not being to be found, the constable and watch searched him, and finding an order upon him for the apprehension of Pritchard, Le

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Phaire and other Popish priests, they made the order public, notwithstanding his entreaties to the contrary, so that it was known at the place where he expected to find the priests, before he came there (Exam. Book, 21 Dec.) The Earl of Essex, who was ordered to report this to the House, did so accordingly the same day, after which Turberville was called for, but not being present, the above order was made (MS. Min., 21 Dec.). On the 23rd he appeared, and being sworn at the bar, repeated his account as above, upon consideration whereof, the House ordered that he should be heard further when the Earl of Shaftesbury was present. (MS. Min., 23 Dec. No entry in L. J.)]

21. Nov. 18. Papists in London (Returns).—Return of the names of Papists or so reputed in the parish of St. Giles-in-the-Fields, Old Town Division, who had taken the Oaths of Allegiance and Supremacy in obedience to his Majesty's late Proclamation. Certified this day by Sir Clement Armiger and Symon Parry, Justices of the Peace. 171 names. *See also* Nos. **22, 40, 114.**

Annexed:—

(*a.*) Return for St. Andrews and St. Giles-in-the-Fields. *Undated.* 206 names. [It contains the name of Miles Prance.]

(*b.*) Return for Tower. *Undated.* 162 names.

22. Nov. 18. Papists in London (Returns).—Return by John Merrydale, Constable of Old Town Division, St. Giles-in-the-Fields, of the names of Popish recusants or so reputed who had been summoned, but failed to appear this day to take the Oaths of Allegiance and Supremacy in obedience to his Majesty's late Proclamation. 142 names. *See also* Nos. **21, 40, 114.**

Annexed:—

(*a.*) Return for Holborn Division, St. Giles-in-the-Fields, Liberty of the Rolls, and parish of the Savoy. *Undated.* 47 names.

(*b.*) Return of defaulters summoned for 23rd and 30th Nov., in Whitechapel, Upper Hamlet. 33 names.

(*c.*) Same for Spitalfields hamlet, Stepney. 30 names.

(*d.*) Same for Bethnal Green hamlet, Stepney. 15 names.

(*e.*) Same for St. Leonard, Shoreditch, Hollowell St. Liberty, and St. Katherine's. 19 names.

(*f.*) Same for Wapping, Whitechapel, and Norton Folgate Liberty. 13 names.

(*g.*) Same for Hoxton Liberty, Shoreditch; East Smithfield Liberty, Aldgate; Wapping, Stepney, and Hackney. 9 names.

(*h.*) Return for St. Giles, Cripplegate. *Undated.* 20 names.

(*i.*) Return for St. Sepulchre's, St. James', Clerkenwell, and Liberty of the Duchy, St. Clement Danes. *Undated.* 57. [Contains the name of Edward Ld Powlett at Mr. Jenkens' in Clerkenwell Green.]

23. Nov. 18. Popish Plot (Conyers', &c. Attainder Bill).—Amended draft of an Act requiring the persons therein named to render themselves to Justice, and in default thereof, to attaint them of High Treason.

Whereas that George Conniers, Symonds, Charles Walsh, Le Phaire, Prichard, and Biston, otherwise Beeston, stand charged upon oath as guilty of a most damnable and hellish plot for the destruction of the King's Royal Person, and the subversion of his government, and the extirpation of the true Protestant religion, as by law established, but have fled from justice, not daring to stand by their trial; the Bill enacts that if the said

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persons shall not render themselves to the Court of King's Bench on or before the first of January next, in order to their trials, they shall be adjudged guilty, and be attainted of High Treason, as if they had been convicted by due trial and judgment of law. [Read 1ª this day. In Committee of the whole House the name of Beeston was left out, and the blank originally left for the date of surrender was filled up with 12 Dec. The House on report altered this to 1 Jan. (L. J., XIII. 361, 368. MS. Min., 21 Nov.). Beeston, who was late servant to Lady Bellasis, was discharged from the messenger's custody on the 19th, not being the person accused. (MS. Min., 19 Nov. *Comp.* L. J., XIII. 368.). The Bill was laid aside in the Commons after a first reading. C. J., IX. 546.]

24. Nov. 19. Popish Plot (L. Carrington).—Draft entry of the Lord Chief Justice's account to the House of Bedloe's information against Lord Carrington. L. J., XIII. 363. *In extenso.* [The MS. Min. add to this account, as given at first from memory, the paper sworn to by Bedloe being left with the House of Commons, that "all were to rise upon the alarm of the King's death," and that "most Papists had taken the sacrament to do so." The Chief Justice being then directed to go and see the paper and to give the House a "more particular account," stated, on his return, that he had spoken with Bedloe, who was then attending the grand-jury, and who produced his notes, and told him he "knew Lord Brudenell," etc., as in L. J. This last part of the account appears as a later addition to the draft.]

Annexed:—

(*a.*) 12 May 1679. Letter from L. Carrington to V. Halifax. L. Roos' affairs being such that his money was not ready when the writer was last in town, he was not able to effect that unfortunate business concerning Lady Smith and her children; but he understands that all things are now ready. Begs L. Halifax therefore to move the House for a week's leave to come to town to execute his writings. *Dated* 2 Day 1679. *Holograph.* [The House was moved this day on L. Carrington's behalf. L. J., XIII. 568.]

25. Nov. 20. Lady Howard of Escrick's Privilege.—Petition of the Lady Joane Howard, the widow of Thomas, Lord Howard of Escrick, deceased, complaining of the arrest, by Thomas Loupton, an officer of one of the Compters, at the suit of Barnaby and Thomas Tunstall, of John Whitehouse, menial servant of her late husband and herself, notwithstanding he had shown her Protection, and she herself had avowed him; and praying that her privilege should be vindicated and the Tunstalls and Loupton punished. L. J., XIII. 366. [*See* MS. Min. of 22 Nov. for the evidence at the hearing.]

Annexed:—

(*a.*) 21 Nov. Petition of Barnabas Tunstall and Thomas Tunstall, of the Middle Temple, Gent., setting forth that John Whitehouse had married one Mary Skipwith, who owed petitioners upwards of 6,000*l.*; that, on the death of Lord Howard of Escrick, petitioners had searched the Compters, and, finding Whitehouse had no other protection, had arrested him at the suit of the petitioner Barnabas, who was a sworn Clerk in the Six Clerks Office. Whitehouse had since removed himself to Ludgate and obtained his liberty, and had also procured a protection from Lord Howard's widow, intending to defraud petitioners. They pray a further day to show cause, having had no notice till 10 o'clock the previous night. [Read this day and assented to. MS. Min.]

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(*b.*) 22 Nov. Lord Howard's Protection to John Whitehouse, dated 3 April 1677. *Noted:* Allowed in the Wood Street and Poultry Compters. [Produced this day at the Bar on the hearing. MS. Min.]

26. Nov. 20. Papists (Parliamentary Test) Act.—Draft Proviso exempting the Duke of York. L. J., XIII. 365. *In extenso.* [Added on report of C. W. H. this day, and agreed to by the Commons by 158 votes to 156. C. J., IX. 543. The Lords' Amendments in C. W. H. are given in L. J., XIII. 365. With regard to those relating to Peers subscribing the Declaration,* the debates on which occupied the Committee, with interruptions, six days, the MS. Min. have notes as follows: —Nov. 7. First clause (§ i. of Folio Ed.) read. Order of 30 April 1675, that no oath shall take away any Lord's place in Parliament, read. Proposed that the lords debarred of sitting may send proxies; after debate thereon, House resumed. [Here follow the proceedings about Blundell and Oates.]—Nov. 9. Proposed to amend the clause. *Expedient, that no Peer shall sit in the House that will not swear that he will not endeavour to subvert the Protestant religion now established in England.*† After long debate, question proposed, *Whether the clause shall be amended.*† House resumed to receive a message from the Commons.—Nov. 12. Upon debate of the clause, the Declaration is read again. Question, Whether this Declaration shall stand as it is in the Bill? Resolved in the affirmative. Question, Whether the Oaths of Allegiance and Supremacy shall stand as they are in the Bill? Agreed without a question. On consideration of the paragraph from the Enacting to the Declaration, Ordered that the Oaths and Declaration be tendered to all the lords.—Nov. 14. The beginning of the clause to the Oath and Declaration is read. After long debate thereon, and on the proposal of some expedients, Question, Whether the Oaths of Supremacy and Allegiance shall be taken by all the lords under the penalties in this clause? [Agreed. *See* L. J., XIII. 365.] That there shall be a proviso added to the Bill, that the refusal of these oaths shall not subject the peers so refusing to any penalties other than the penalties in this Act.‡ Question, Whether the Oaths shall be administered to all the peers under the penalties in this clause? Resolved in the affirmative. House resumed.—Nov. 15. On debate, Question put, Whether the Declaration shall be under the same penalties as the Oaths? Resolved in the negative. Then upon further consideration had of what use the Declaration shall be: Whether the refusal to subscribe it shall be a conviction? It appears to be a conviction by the next clause [§ ii. Fol. Ed.]. Ordered, That the refusal of the Declaration shall be a conviction to all refusers.—Nov. 16. Moved, that the wording of the clauses be omitted till the Bill be gone through. The next clause agreed to. The next clause amended. House resumed. On the 18th, the remaining clauses were considered (MS. Min.), and the Bill was referred to a Sub-Committee, E. Essex in the Chair, who, after reading the notes taken in C. W. H. for the amendment of the

* These amendments were disagreed to by the House on report, a fact which Hallam (Const. Hist. ii. 579, Ed. 1832) strangely overlooks. The effect of them was to retain the Declaration, in addition to the Oath, but to exempt the Peers, in case of their refusal to subscribe it, from the disability to sit and vote and make their proxies.

† The words in italics are struck through.

‡ The proviso, as first proposed, was "to provide, if need be, for all privileges of the Peers, both privileges of peerage and Parliament, notwithstanding the suspension of sitting and giving proxies."

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Bill, referred the notes and Bill to Mr. Justice Atkins to fit the amendments to the Bill. On the 19th he offered the amendments which he had prepared, which were agreed to (Exam. Book, 18 and 19 Nov.), and were reported by E. Essex the same day to the C. W. H., who ordered them to be reported to the House (M.S. Min., 19 Nov.). The Bill received the Royal Assent on 30 Nov. (L. J., XIII. 394.). 30 Car. II., st. 2.]

27. Nov. 21. Middledorp *v.* The King.—Petition of Peter Middledorp, Harman Stubbs, David Stolley, Detlef Stolley, Wickman Lastrop, and several others, owners of the cargo of the "Prosperous." The facts of the case are given in the preamble to the Bill for Middledorp's Relief (No. **73.**) Petitioners add that on arrival at Portsmouth the captain applied to the Deputy Governor to send an officer on board to see that bulk was not broken. The judges were so dissatisfied with the verdict of the jury that they respited judgment, so that Petitioners might have time to apply elsewhere for relief. Pray that the annexed affidavits may be read, and Petitioners relieved by stay of execution or otherwise. L. J., XIII. 369. [The MS. Min. of 14 Dec. have the following; "Petition of Daniel Gyles, concerning the Hamburg merchants' ship the "Prosperous" of London and her lading, is read, praying that execution may not be stayed by the order of the House; "notwithstanding which Petition the hearing on Monday stands as it did." The House heard Counsel for Petitioner (*Serjeant Stroud*, *Mr. Porter* and *Mr. Holt*) and examined witnesses on the 16th. MS. Min. of dates.]

Annexed:—

(*a.*) Affidavit of John Read, the Master of the "Prosperous." He brought up in St. Helens Roads, which is a dangerous anchorage for small ships, so he moved nearer in, without knowing he had entered the port. Deposes as to the sending of a Custom House officer on board at his request. Sworn 16th Nov.

(*b.*) Affidavit of Peter Bar, Merchant, of London, that it had been customary during the war between France and Holland to make out double Bills of Lading for the trade between those countries, one set direct to the port of destination, and the other first to England, and then to exchange these in London for other Bills of Lading from England, for which merchants in England usually received a reward. The object of this was to prevent the cargoes being seized by the Dutch, &c. Read had applied to him for a new Bill of Lading before the seizure of the ship. Sworn 16th Nov.

(*c.*) Affidavit of George Godfrey, of Rouen, Broker, to same effect as (*b.*), adding that he had seen the Bills of Lading made out for Hamburgh. Sworn 16th Nov.

(*d.*) Affidavit of Michael Syvers, of London, Merchant. Harman Stubbs, of Hamburg, had told him he intended to ship some goods from Rouen to Hamburgh, and deponent had insured them for Hamburgh at 5 per cent., whereas the insurance premium from France to England was only 1½ per cent. On the goods being seized, Stubbs had sent to Rouen for another supply to be sent to Hamburgh in their place. Sworn 18th Nov.

(*e.*) Affidavit of John Brack, of London, Mariner, one of the crew, to same effect as (*a.*) Sworn 16th Nov.

(*f.*) Affidavit of William Wolpman, of Hamburgh, Merchant, servant of Peter Middledorp, that he himself had bought his master's share of the goods at Rouen for despatch to Hamburgh. Sworn 16th Nov.

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(*g.*) Affidavit of Samuel Rockslo, servant of Mr. Harman Stubbs, that he had received Bills of Lading at Hamburgh before notice of the seizure of the goods had been received. Sworn 16th Nov.

(*h.*) Affidavit of Stephen Ernault, of Rouen, Merchant, deposing to the efforts of Godfrey (*c.*) to procure a cargo for the "Prosperous" for Hamburgh, and to the signing of Policies of Insurance to that place. Sworn 16th Nov.

28. Nov. 23. L. Paget.—Writ of summons to William L. Pagett. Took his seat 25 Nov. L. J., XIII. 375.]

29. Nov. 25. Popish Recusants (Discovery and Conviction) Bill.—Amended* Draft of an Act for the better discovery and more speedy conviction of Popish Recusants. "Whereas upon the great increase of Papists "of late years, divers Jesuits, Seminary priests and others, perverted by "their wicked and devilish counsel, *are* arrived at that boldness and height "of impiety, that if they could by any means bring the state of this realm "into confusion, they hoped by their great numbers and subtle conspiracies "they might prevail to overthrow the government of Church and State, "and enslave all His Majesty's good subjects, which confusion they have "by divers means attempted, and at last by a most horrible and wicked "design to assassinate His Majesty's Royal Person, whereby, if God "Almighty had not by His great mercy discovered and prevented the "same, the Kingdom might have been brought to utter desolation; And "it hath been found by experience, that those Tests which have been "formerly provided for the discovery of such persons as adhere to the "Popish religion have been rendered ineffectual, by reason that notorious "Papists have taken the same, either upon dispensations from the Pope "or other pretended authority derived under him, or hopes of such "dispensations, or by the delusions of priests that have suggested to them "some evasive equivocations, or mental reservations whereby they are "persuaded to undergo the same; And those discouragements that have "been provided by former penal laws against Popish Recusants to "prevent the growth of Popery have been insignificant in respect of the "delays and difficulty in convicting them; Now for the more certain "discovery of all Papists and the more speedy and effectual conviction "of them," the Bill enacts that from and after the *twenty-fifth* day of *December* next, any Justice of the Peace within the limits of his Commission, either in or out of Sessions, may require any one of the age of *sixteen*, suspected to be a Papist, to make and subscribe a Declaration *which the said Justices are hereby required to tender accordingly*. Here follows the Declaration of the Test Act of 1678. (*See* L. J., XIII. 373.) If the person refuse, the Justice shall certify the tender and refusal to the next general or quarter Sessions, there to remain on record, which record shall be a sufficient conviction of the person as a Popish Recusant. Refusal or neglect to answer a Justice's summons for the purpose of tendering the Declaration shall be certified as above with an affidavit of service of the summons; and if the person, so certified against, shall fail to appear at Sessions the first day of the next Sessions, or the same day when the certificate is so made, he shall be deemed a Popish recusant. No person convicted of recusancy by this or any other law shall free himself from such conviction by conformity to the Church, unless he shall likewise, in the presence of some Justice of the Peace, make and subscribe the above-mentioned Declaration, *to be certified to the next*

* The amendments, being additions made to the original draft in Committee and on Report, are marked below by italics.

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General or Quarter Sessions as aforesaid, there to remain upon Record. All Records made in pursuance of this Act shall be certified by the Clerks of the Peace into the Court of Exchequer before the end of the next term after every Sessions, upon pain of a fine of £100, to be divided between the King and the person suing. [Read 1ª this day. L. J., XIII. 375. Laid aside, after commitment, in the Commons. C. J. IX. 564. This Bill was ordered to be drafted by the Chief Justice of the Common Pleas, in accordance with the recommendations reported by a Committee of the whole House (L. J., XIII. 369, 373, and MS. Min, 23 Nov.), which had originated in a motion that some heads for a bill or bills be proposed and considered of, for the better securing the Protestant religion (MS. Min., 21 Nov.). On 22 Nov. it being moved in C. W. H. that the preservation of the King's person might be considered in the first place, the Committee reported, desiring a wider order of reference for that purpose. This was ordered (L. J., XIII. 370), and the House went again into Committee. The following heads were then proposed and agreed to. (1.) That an exact account be taken of all Papist householders,* and of what country they are, and returned speedily to this House. (2.) That no Papist lawyers, physicians, or apothecaries be suffered to stay in town above a week. (3.) That no cutlers and armourers, booksellers and printers, who are Papists, may stay in town. (4.) That an account be given to this House of the persons that have the management of the water-pipes in London. (5.) That an account be taken of all inmates in town, and brought to this House, and enquiry made what they do here. (6.) That care be taken that the† apprentices of Dissenters may not be suffered to go to mass. (7.) That no Protestant master may have any Popish servants. (8.) That an Address be made to his Majesty that the law may be put into execution against Popish priests, after a day to be set for their departure. (9.) That the Committee be revived for enquiry after constables who are Papists. On the 23rd the Committee agreed on the Declaration, in the Bill above, as a test of Recusancy ; the words "Oaths of allegiance and supremacy," having been originally added, but afterwards struck out. A motion was was also made that the perverted to the Romish religion should be banished (MS. Min., Nov. 22, 23.). The Bill was committed to the Committee on the Militia Bill (L. J., XIII. 379) who, with E. Essex in the Chair, reported it with the first three amendments, marked above in italics (Exam. Book). The further amendments were offered by the L. Privy Seal on report (MS. Min., 27 Nov.), and the Bill, thus amended, was agreed to. (L. J., XIII. 383). *See also* No. **95.**]

30. Nov. 26. Militia Bill.—Commons' Engrossment of an Act for preserving the Peace of the Kingdom by raising the Militia, and continuing them in duty for forty-two days. "For the safety of the "Sacred person of his most gracious Majesty (whom God in mercy "to this nation long preserve) and for the quiet and good of the "whole Kingdom during this time of imminent danger, as also to make "the forces thereof more useful; Be it enacted, etc. That the several "Lieutenants, and in their absence or by their directions any two "or more of their Deputy Lieutenants within all Lieutenancies, "Counties, and precincts whatsoever in this Kingdom of England, "Dominion of Wales, and town of Berwick-upon-Tweed respectively,

* The words "of London and Westminster" were here originally added, but afterwards struck through.

† The words "servants and" are here struck through. See next Head.

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" do and shall cause to be called together, put in arms, and duly " mustered, exercised, and conducted within the space of forty-two " days next from and after the tenth day of December, one thousand, " six hundred, seventy eight, all the trained bands and forces severally " raised or to be raised by the late Acts of Parliament for that purpose, " according to the powers and directions of the said Acts, so as one full " third part of all the said forces shall during all the said forty-two days " be duly in arms and upon duty as aforesaid in the several Lieutenancies, " and all the rest ordered to be ready upon call for service. Provided " always that no troop, company, or soldiers be kept together in arms or " upon such duty by virtue hereof longer than fourteen days during the " said forty-two days aforesaid. And all persons charged or duly to be " charged with finding soldiers, horse, or arms, are to provide such " soldiers, horse, and arms, and to pay and furnish the same for the " days and time aforesaid, under the respective pains and penalties set " down in the aforesaid Acts or any of them." *Parchment Collection.* [Brought from the Commons this day: Royal assent refused 30 Nov. L. J., XIII. 378, 394. The usual words "Le Roi s'avisera" are not on this Bill. E. Essex was Chairman of the Committee on the Bill, which was reported without amendments. (Exam. Book 27 Nov.)].

31. Nov. 26. Turner *v.* Sir Robt. Henley.—Petition and appeal of Gawin Turner, Gent., and Anne, his wife. The last Lord Zouch had left an annuity of £100 to James Barker upon a moiety of the Manor of Crewell, devised to Sir Edward Zouch. Barker sold his interest to Sir John Lloyd, who married Beatrice, sister of Arthur, Earl of Anglesey, and widow of James Zouch, Sir Edward's son, and received the profits of the Manor during the minority of Edward Zouch, son of James. Petitioner, having married Anne, the surviving child of Sir John Lloyd, on the death of the latter caused a Declaration in Ejectment to be delivered for recovery of possession; but Sir Robert Henley, Knt., obtained a Decree in Chancery against Petitioners, on pretence of having bought the Manor from James Zouch, brother and heir of Edward, and on the plea that Sir John Lloyd had bought the moiety with the money of Edward and James Zouch. Appeal against the Decree, being remediless by Bill of Review. [*Endorsed* as brought in this day. No entry in MS. Min. or L. J. of date, but *see* L. J., XIII. 494. The Appeal never came to a hearing.]

Annexed:—

(*a.*) 2 April 1679. Order on the Respondent to answer. L. J., XIII. 494. *In extenso.* Appended to (*c.*) below.

(*b.*) 28 April 1679. Answer of Sir Robert Henley, Knt. Sir John Lloyd had received £2,900 a year out of the estate for ten years, the money of the Zouches, and Barker's assignment of his term to Sir John, in the name of David Morgan, was in trust for them. Respondent had given £4,000 for the Manor, and had no notice of any claim upon it. L. J., XIII. 686.

(*c.*) 24 Nov. 1680. Petition of Appellants. Petitioners on 10 Dec. 1673 presented their appeal; and have given security in Chancery according to their Lordships' order of that day. Nevertheless the Lord Chancellor has ordered process of contempt to be prosecuted against Petitioners for not obeying the decree appealed from, upon allegation that Petitioners did not give security in time, though there is no time limited for that purpose by their Lordships' order, nor was any security required when Petitioners appealed, nor did Petitioners delay giving such security, when they heard of the order, as appears by the annexed certificate.

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Pray that proceedings in Chancery may be stayed, and a day appointed for hearing. L. J., XIII. 686. *See* MS. Min. 29 Nov.

(*d.*) Certificate referred to in preceding, dated 15 May 1680, and signed by Andrew Young.

32. Nov. 27. States General.—Translation of letter from the Dutch Ambassador, Van Beuningen, to the King, with regard to the inclusion of the Allies within the Peace of Nimeguen. Dated Westminster $\frac{5 \text{ Dec.}}{25 \text{ Nov.}}$ 1678, and laid before the House this day. L. J., XIII. 381. *In extenso.* [The MS. Min. of 26 Nov. state. "The Memoirs brought in this morning from the States and Spanish Ministers are read."]

Annexed :—

(*a.*) Original of above.

(*b.*) Copy of the Memorial of the Comte d'Avaux, inclosed in Van Beuningen's Letter above, and dated The Hague, 21 Nov. *See* L. J., XIII. 380.

(*c.*) Translation of preceding. L. J., XIII. 380. *In extenso.*

(*d.*) Copy of the answer of the States to the Memorial of the Comte d'Avaux, inclosed in Van Beuningen's Letter above. *See* L. J., XIII. 382.

(*e.*) Translation of preceding. L. J., XIII. 382. *In extenso.* [*See also* MS. Min. of 27 Nov.]

(*f.*) Translation of the Memorial of the Count of Egmont, the Spanish Ambassador, to the King, praying him not to withdraw his troops from Flanders, the French King having refused to include the Allies in the Peace of Nimeguen. Dated London, 4th Dec. (24 Nov.), and laid before the House, together with the preceding papers. L. J., XIII. 381. *In extenso. See also* MS. Min. of 27 Nov.

33. Nov. 29. Popish Plot (Examinations).—Examinations of Oates, Bedloe, and Mrs. Elliot at the Bar this day. L.J., XIII. 388–90. *In extenso.* [MS. Min. supplements L. J., as follows: Wakeman's letter to Thimbleby was to advise him to take milk and go to the baths for his health, as he was troubled with the palsy. The letter was in plain words upon Thimbleby's table at the Bath. It stated that the Queen had engaged and would assist in the work of poisoning the King. The enemy to the King and Kingdom referred to by Oates (L. J., XIII. 389), whose name is suppressed in L. J., was Secretary Williamson. Oates further explains his reluctance to accuse the Queen sooner by saying he found the King would hardly believe it, and so he (Oates) was unwilling to speak. Bedloe said, with reference to the Consultation at Somerset House, that "they had much ado to bring in the Queen." He added that he was content with being at Whitehall, as he was, but desirous he might dress his own diet, because he had been told by some of the guard that it was reported he should give no more evidence.]

34. Nov. 30. Duckett *v.* Mildmay.—Petition of Thomas Duckett, Esq. William Mildmay, a widower of fifty, having no issue, and never intending to marry, conveyed the bulk of his estate in Henstead, Suffolk, absolutely, without power of revocation, to Petitioner, his cousin, in consideration of the latter having supplied him with money and recovered and managed his Estate. Mildmay, however, married Mary, the daughter of one Brewster, and they joined the trustees of the marriage settlement, namely, Sir Jeremy Whitchcot, Benjamin Whitchcot, D.D., Thomas Higford [Kifford], John Fisher, and Samuel Brewster, in suing

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Petitioner and Henry Mildmay, Giles Hungerford, and Jasper Clutterbuck for the property, and obtained a Decree in Chancery against Petitioner, which he prays may be reversed, proceedings meanwhile being stayed. *See* L. J., XIII. 480. [The Appeal was heard on 23 Nov. 1680. Counsel for Appellant were *Mr. Rawlinson* and *Mr. Porter*, and for Respondent the *Solicitor General*, *Sir John Churchill* and *Mr. Phillips*. (MS. Min.) *See also* No. **440**.]

Annexed:—

(*a.*) 26 March 1679. Petition of same. He had given security, but had, since his Petition of Appeal, been arrested upon a Commission of Rebellion for not having performed the Decree. Prays for stay of proceedings and a day for hearing. L. J., XIII. 480.

(*b.*) 7 April 1679. Petition of Willlam Mildmay and others. Appellant could not procure a known Counsel's signature to his Petition, which is signed to only by his brother. His security is only for £100, whereas he is decreed to pay over £5,000. Pray the Appeal may therefore be dismissed, or for further time to answer. L. J. XIII. 502.

(*c.*) 28 April 1679. Answer of William Mildmay, Esq. and Mary, his wife, Benjamin Whichcot, D.D., Thomas Kifford, John Fisher, and Sam. Brewster. Appellant had tricked Mildmay (who was not of so deep a capacity as to perceive Appellant's design) out of his Estate, on pretence of holding it in trust for him. *See* L. J., XIII. 618.

(*d.*) 25 Oct. 1680. Petition of same, praying that Appellant may give good security to perform the Decree, and for a day for hearing, as Appellant sleeps upon his Appeal. L. J., XIII. 618.

(*e.*) 30 Oct. 1680. Replication of Appellant. Respondent's Answer is cautelous, evasive, scandalous, and untrue.

(*f.*) 3 Nov. 1680. Petition of same for a further day for hearing, as he is sick and unable to travel. L. J., XIII. 632.

(*g.*) Certificate of George Bird, Appellant's servant, in corroboration of preceding. Dated 1st Nov. and appended to preceding.

(*h.*) 22 Nov. 1680. Petition of Appellant for an Order for witnesses and the production of Petitioner's letters to the Lady Hungerford. L. J., XIII. 682.

(*i.*) 23 Nov. 1680. Petition of Respondents. Henry Mildmay, William's brother, is concerned in the reversion of the Estate, and is in collusion with Appellant. Pray he may be ordered to produce at the hearing certain documents in his hands. L. J., XIII. 683.

35. Nov. 30. King's Speech.—Draft of King's Speech upon the Militia Bill and the Act excluding Papists from Parliament. L. J., XIII. 394. *In extenso.*

36. Nov. 30. Papists in London (Gilmans).—Petition of Henry Gilmans, Gold Beater, Peter Van Melder, his servant, Lewis Casteels, Her Majesty's Framemaker, Thomas Oubrechts, and Giles Bowels, his servant, John Sleider, Silver Chaser, John Leissens, Tailor, and Giles Malvoe, Goldsmith, natives of the Spanish Netherlands inhabiting in St. Martin's Le Grand, and now prisoners in the Gatehouse, Westminster, setting forth that, having settled in St. Martin's Le Grand, a privileged place for aliens, as they were informed, they had been imprisoned for not taking the Oath of Supremacy, and praying to be released to follow their several callings, or settle their affairs and prepare for their return

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into their country. [Read this day, "nothing ordered; to be considered on Monday." MS. Min. No entry in L. J.]

Annexed:—

(*a.*) 2 Dec. Another Petition of same to the like effect, stating that they had relied on the King's Declaration for the encouraging aliens to come into England, and on the assurances of the Spanish ambassador, but had nevertheless been imprisoned for their religion. They pray for passes to go abroad, if not allowed to remain peaceably in England. L. J., XIII. 397.

37. Nov. 30. Popish Plot (Whitebread).—Receipt for the delivery of Mr. White *alias* Whitebread by Sir G. Charnock, Serjeant-at-Arms. *Signed* W. Richardson, Keeper of Newgate. [The following entries appear in the Exam. Book (No. 5):—25 Oct. 1678. *Moved*, That Whitebread and Micho may be kept apart, and not admitted to discourse with others and the guards on them. . . . That a Protestant physician may be sent to visit them. Dr. Warner to attend this Committee at 4 in the afternoon. (*See* L. J., XIII. 302.)—*Eod. die* p.m. Dr. Warner is called in and directed to visit Micho and Whitebread, and give the House an account to-morrow, and to take Dr. Lowre with him. He says he will do the best he can to give their Lordships an account to-morrow morning. (*See* L. J., XIII. 303).—1 Nov. *Sir Philip Lloyd* acquaints the Committee that he has no papers of Whitebread's but a small bag of papers, which were read but not material, and that he has a bag of Micho's papers which he has brought, though they have not been read at the Council. (*See* L. J., XIII. 310) . . . . *Ordered*, That the L. C. Justice be desired to send for Mrs. Saunders and the Master of the White Horse Tavern in the Strand, and examine them. That the House be moved in it. (*See ib.* 335).—6 Nov. Sir Philip Lloyd's clerk delivers in a bag of Mr. White's papers.—7 Nov. Sir Philip Lloyd gives in a list of what papers are here of Mr. Micho's. The Clerk is ordered to enter the list, and to give back the bag of papers to Sir Philip to be carefully kept by him, as also White's papers, wherein he informs the Committee there is nothing material. (*Memorandum* in margin by Clerk: That on the 19 Nov. I delivered back the said two bags to Mr. Edward Lloyd, Sir Philip Lloyd's clerk, by Sir Philip's direction, in the presence of Mr. Walker). The list is as follows:—"In *Mr. Micho's* bag are, Two brass seals of the Society of Jesus; A box covered with red leather, containing settlements of Sir Thomas Preston's Estate on trustees, which refer to future disposition; A cipher in use in the year 1676; Lists of Jesuits in England; An Account from the English Provincial of his late Visitation, supposed to be prepared for the General of the Order; A Book containing the times of the English Jesuits' admission into that Order, of taking orders, vows, etc., deaths, etc.; Directions of letters to several priests, and a List of letters written to them; A manuscript against Dr. Stillingfleet and another manuscript; Some Accounts of moneys received and paid. The rest of the Papers appear to be of little consequence." (*See ib.* 343.)]

38. Nov. 30. / Dec. 30. Test Roll.—Roll of Signatures of lords to the Declaration in the Test Act of 1678 between 30 Nov. and 30 Dec. 1678 *Parchment Collection.*

39. Nov. 30. / Dec. 30. Oaths Roll.—Roll of lords who took the oaths between 30 Nov. and 30 Dec. *Parchment Collection.*

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40. Dec. 3. Papists in London (Returns).—Return of Papists found in the Liberties of Westminster, with alphabetical list of those who had taken the oaths, and list of persons respited, upon certificates produced, for further consideration. These certificates relate to the servants of the Queen (certified by E. Ossory), and of the French and Spanish Ambassadors, &c., and to the persons employed by the King in painting in his works at Windsor. The following names are included in these lists:—Sir Geo. Lancaster and Dame Mary his wife, Lady Hambleton and four servants, Lady Mary St. Johns, Count de Larkee, Sir Robt. Walsh, Earl of Castlehaven, Lady Currier, Countess of Portland, Sir Geo. Wakeman and his wife, Lady Tronson, Lady Frances Green, Countess of Southesk, Lady Margaret Purbeck, Lady Eliz. Kinnoul, Col. Dungan, Sir Barnard Gascoigne, The Agent of Florence, Earl of Berkshire, and Lady Eliz. Kingsby. Four papers. [Delivered in this day by the Steward of the Justices for Westminster, who stated, with reference to the warrants for summoning persons to take the oaths, that some were in prison for refusing. They had respited foreign traders, travellers, foreign ministers' servants, the Queen's servants, &c. MS. Min. of date. *See also* Nos. **21, 22.**]

41. Dec. 3. Papist's Passport.—Petition of Henry Pound, Esq., a Roman Catholic, a loyal subject, and no ways conscious of the Popish Plot, for a passport to travel abroad with his servant Robt. Short. L. J., XIII., 400.

42. Dec. 3. Papists in London (Tapestry makers).—Petition of Francis Pointz, the King's Tapestry maker, and Thomas Pointz, merchant, of London, to the King and Council, praying him to weigh the condition of those Roman Catholic Tapestry-makers whom they had brought over by His Majesty's encouragements in setting up the Tapestry manufacture here, and who are obliged by the late Proclamation to quit the country. L. J., XIII. 399, almost *in extenso*.

Annexed:—

(*a*.) List of foreign tapestry makers employed by the petitioners.

(*b*.) Printed Proposals of Francis Poyntz, stating that £100,000 worth of Tapestry is imported into England every year, employing 10,000 people in its manufacture abroad, and taking £100,000 a year out of the country. England, having plenty of wool, and the best in the world for the purpose, might, with encouragement, become the chief magazine in the world for Tapestry. The growth of the country would be used, and employment given to Englishmen. More silk would be imported from Turkey, which would increase our woollen exports in exchange for it. English money would be kept at home, and more would come in from abroad; and foreign manufacturers and their families would be drawn hither. Now the way to bring this to pass is (1) to encourage the workmen as the French King has done; (2) to prohibit foreign tapestry, or tax it heavily; (3) to entice from France the workmen settled there, who, owing to the wars, were not thriving; (4) to entice workmen over from Flanders, who, owing to the threatening state of affairs there, would come over by the writing of a letter; (5) to give the same encouragement to Tapestry makers as to the 100,000 manufacturers of Baize, Says, and Serges, originally Walloons, at Colchester, Canterbury, and Exeter. We have the best wool and cheaper provisions than where tapestry is now made. When the trade of Baize, Says, and Serges was first set up, not a tenth part of the present manu-

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facturers came over; but as the trade increased, the rest were obliged to come over, because their trade abroad decayed.

43. Dec. 4. Papists (Gerrard and Oakley).—Order of the House committing John Gerrard and Thomas Oakley to the King's Bench Prison. L. J., XIII. 401. *In extenso.* [On 22 Nov. the L. Privy Seal delivered to the Committee for Examinations a letter from John Wolmer to Mr. Harris, servant to the L. Chancellor, dated 20 Nov. 1678. The letter was read and delivered to E. Essex, to be reported to the House. (Exam. Book 22 Nov.).—The House on Report, 23 Nov., referred it back to the Committee, (L. J., XIII. 372), and on 3 Dec. ordered them to examine Gerrard and Oakley, (*ib.* 398). *Gerrard*, being examined, said that the Mayor of Stratford would have had him take the Oath of Allegiance as he was going through that town into Lancashire, but he thought it was fitter for him to take it in his own county. Being demanded by the Committee whether he will now take the Oath, he says he does not understand it. He is not a priest, but he is a Catholic, and was never married. *Thomas Oakley* says that as he was going from Brails to Grafton, the Oath was tendered him at Stratford, which he refusing, was committed. Being demanded if he will now take it, he says he does not understand it. He is a Catholic, and was butler to the old Earl of Shrewsbury. *Ordered*, That Sir G. Charnock take them to Oates and Bedloe to-morrow, and enquire whether the latter know or have heard of them, or have anything to say against either of them.—4 Dec. Sir G. Charnock reports that Oates and Bedloe say they do not know Oakley, but that Oates says he believes he has seen Gerrard's face at the altar. *Ordered*, That the House be acquainted herewith (Exam. Book 3, 4 Dec.). The House on report made the above order of committal.]

Annexed:

(*a.*) Dec. 17. (John Gerrard).—Petition of John Gerrard. Was committed to the King's Bench prison on 23 Nov. last upon information given to the House that he refused to take the oaths of Allegiance and Supremacy. Prays to be discharged, on giving security for his appearance. L. J., XIII. 421.

(*b.*) April 3 1679. (Thos. Oakley).—Petition of Thomas Oakley. Petitioner being suddenly tendered the oath of Allegiance, refused to take it, being a poor, aged, and illiterate man, and not understanding it. When at last his friends came, he was willing, on their advice, to take it, but could not raise money for a *habeas corpus* before Parliament was dissolved. Prays for his discharge, being ready to take the oath. L. J., XIII. 496.

44. Dec. 6. Popish Recusants (Trades Disabilities) Bill.—First Draft of an Act disabling Popish Recusants to exercise certain trades and occupations. "Whereas divers persons using and exercising the trades "and occupations of Gunsmiths, Armourers, Sword-cutlers, Booksellers "and Printers within this realm of England and dominion of Wales, "being Popish Recusants, by means and occasion of their said trades "and occupations have great opportunities of becoming instrumental "and serviceable in Popish and traiterous designs and conspiracies for "the subverting the true reformed Religion by law established, and "introducing Popery and destruction of the Government and peace of "this Kingdom;" the Bill enacts that no person shall be permitted to exercise any of the said trades or occupations, either as Master, Apprentice, Servant, or Journeyman, being of the age of 18 years or above, until he has taken, before the local justice of the Peace and in the presence of three credible witnesses, the Oaths of Supremacy and

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Allegiance (the latter as in the Act of 3 Jac. I.), and made and subscribed the Declaration in the Test Act of 1673, upon pain of imprisonment for [blank] months. A justice may require any person exercising the said trades to appear before him and tender him the oaths and declaration, and if the person refuse to take the oaths, &c., he shall be disabled to exercise the said trades and be adjudged a Popish Recusant convict. And the justice may, by warrant, cause the utensils, wares, &c. of his trade to be inventoried and seized and then sold at the best price obtainable, and, after deducting the necessary charges, restore the overplus to the owner. Provided that if any offender under this Act shall at any time after his offence take the oaths and subscribe the declaration, and obtain a certificate to that effect from the Justice, attested by three witnesses, he shall thenceforth be freed of all further seizures and penalties under this Act or by reason of being a Popish Recusant convict, but such freedom shall not extend to restore to him his utensils, &c. seized before his submission. The names of all persons taking the oaths, &c., or refusing to take them, shall be registered in a book for inspection by any person without fee. No fee shall be paid by any person for taking the oaths, &c., and obtaining the necessary certificate. Justices are enjoined and required to administer the oaths and to take the subscriptions within the limits of their jurisdiction. [Read 1ª this day, having been prepared by Mr. Justice Atkins pursuant to order of the 4th inst. L. J., XIII. 402, 406. The Committee* having reported that the Bill was short of attaining the end intended, were ordered to fit it accordingly (*ib.* 409), and on the 12th they reported that there were so many alterations made in it, that they were forced to write it anew. (*ib.* 413.) This new copy is not among the records; the above, as appears from the endorsement, is the original draft. The Bill finally dropped in the Commons. *See also* No. **119.**]

45. Dec. 6. Papist's Passport.—Petition of Robert Prugian, Esq., a Roman Catholic, a loyal subject and no ways conscious of the Popish plot, for a passport to travel abroad with his servant Robt Royston. L. J., XIII. 406.

46. Dec. 6. Popish Plot (Disarming).—Address of both Houses for a proclamation to disarm Papists. L. J., XIII. 405. *In extenso.*

47. Dec. 7. Cooling *v.* Stratfold.—Petition of Samuel Stratfold, praying that Joseph Cooling, the Marshal of the King's Bench, may be ordered to find sufficient bail, and in default thereof, that petitioner may sue forth execution notwithstanding the writ of error. L.J., XIII. 407.

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* The proceedings of this Committee are recorded in the Exam. Book (No. **5**) as follows:—9 Dec., E. Essex in the Chair. The Bill is read entire. Part of the Act 3 Jac. c. 5 is read. Ordered to report that the Committee is of opinion that the Order for drawing the Bill was short, and that Common and Civil Lawyers, Attorneys, Proctors, Solicitors, Physicians, Apothecaries and Chirurgeons should not be permitted after conviction to exercise their callings anywhere in England, nor to remain in town. The Committee is also further of opinion to propose to the House that no tradesmen whatsoever of his Majesty's natural born subjects, being convict Recusants, should, after a time limited, be permitted to live in London, Westminster, or the suburbs thereof.—11 Dec. Mr. Justice Atkins offers a Bill amended to be the Bill (instead of the Bill committed), which is read. Ordered That the Title be amended according to the Bill now offered. The Preamble to be as in the Bill now offered. The Bill agreed to be reported as amended. The Clerk to transcribe the Bill against to-morrow.

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Annexed:—

(*a.*) 13 March 1678–9. Copy Writ of Error, &c., brought in this day. L. J., XIII. 459.

(*b.*) 26 March 1679. Petition of Samuel Stratfold for an early day to hear errors argued. L. J., XIII. 480.

(*c.*) 1 April 1679. Statement of Plaintiff. The writ of *Habeas Corpus*, by which he is to make his justification, is in the hands of one of the Lord Chancellor's secretaries, but the Record upon which Defendant recovered against the debtor, for whose escape judgment was obtained below against Plaintiff, has not been brought up. Prays that a *Certiorari* may be issued for that purpose, there being an express variance between it and the record wherein Stratfold recovered against Plaintiff. Prays also for a fortnight's time for hearing till his Counsel come to town.

(*d.*) 17 April 1679. Petition of Joseph Cooling, Esq., Marshal of His Majesty's Court of King's Bench, praying their Lordships to grant a writ of *Certiorari*. L. J., XIII. 527.

(*e.*) 23 April 1679. Petition of Samuel Stratfold. As for the variance between the record of the commitment of G. Shipside, for whose escape petitioner obtained a judgment, and petitioner's declaration against Cooling, it is a matter foreign to the judgment and not assignable for error, and is only a contrivance of Cooling for delay. Prays for a short day for hearing. *Noted* is Counsel's opinion, signed R^d^ Weston, that the plea of *In nullo est erratum* admits the variance assigned for error, and that no *Certiorari* to certify the Record of Commitment ought to issue in delay of the Defendant. L. J., XIII. 533.

(*f.*) 25 April 1679. Tenor of Judgment given this day. L. J., XIII. 537. [*Mr Phillips* was Counsel for Plaintiff, and *Serjeant Weston* for Defendant. MS. Min.]

48. Dec. 11. Popish Recusants (Children's Education) Bill.—Amended* draft of an Act for the more effectual preventing the sending or going of the Children of Popish Recusants *into parts* beyond the seas *out of the King's obedience*. "Whereas divers laws heretofore made "to prevent the sending or carrying the children of Popish Recusants "into parts beyond the seas out of the King's obedience, there to be "educated and instructed in the Popish Religion, by reason of some "defects in the said laws, and the general neglect of putting them in "execution, have not had that good effect that was intended by them; "now for [supply of the defects of the said laws and a] *the* more certain "prevention of the said mischiefs;" the bill enacts as follows:— Clause i.; From [henceforth] *and after the 2nd of February*, 1678, it shall not be lawful for any Popish Recusant *or other person or persons whatsoever* to convey or send to foreign parts any children of or under the [tuition] *care* or government of any Popish Recusant, if male, being under 21 years of age, and if female unmarried, of any age whatsoever, on pain of forfeiting, for every child so sent, *five hundred* pounds to the King, and another *five hundred* pounds to the person [suing] *really and bonâ fide prosecuting* for the same. It shall not be lawful from [henceforth] *and after the second day of February aforesaid* for [any the said children] *the son of any Popish Recusant, being under the age of twenty-one years*, or any Popish Recusant whatever being under the age of twenty-one years, or for the daughter of any Popish Recusant, being unmarried, of any age whatsoever, to go into foreign parts [where

* The additions are shown by italics, the omissions by square brackets.

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they may be educated or instructed in the Popish religion, or profess the same], upon pain of forfeiting all goods, chattels, and trusts to the next of kin professing the Protestant religion, as established in the Church of England, to hold the same without giving any account, and of forfeiting also to the next of kin *for the time being* the rents and profits of all their lands, etc., and of being disabled, as also their issue from holding any lands by descent or purchase.—Clause ii. Provided that if any such children, so going beyond the seas, after their return, or any issue of their body, after their decease, shall conform and receive the Sacrament, they or their issue shall, during such conformity, hold their lands, etc., according to their respective titles, but shall not have any rents or profits received before their conforming. If the next of kin shall refuse or neglect *effectually, or without fraud or coven*, to take the benefit of such forfeiture or disability for one year thereafter, any other Protestant of the Church of England may take and sue for the benefit in his place. *And in case any such child or other Popish Recusant under the age of twenty-one years shall go abroad contrary to this Act, and shall not have a freehold estate worth twenty pounds a year, he shall be imprisoned for seven years, or until he shall conform.*—Clause iii. And to the intent and purpose that it may the better and more clearly appear when any person or persons do or shall offend against this law, the Bill enacts that from [henceforth] *the second of February aforesaid* all Popish Recusants in England and Wales shall yearly at the General or Quarter Sessions of the peace next after Easter deliver a certificate, to be there recorded, of the names and ages of their children, and of the place where such children, being then under the age of 21, are abiding or being educated, on pain of forfeiting *fifty* pounds to the King, and *fifty* pounds to the person really and bonâ fide prosecuting for the same.—Clause iv. A penalty of *two hundred and fifty* pounds to the King, and *two hundred and fifty* pounds to the person bonâ fide prosecuting for the same, is imposed on persons directly or indirectly conveying out of the King's dominions any sums of money, goods, etc., towards the maintenance or education of any child in any religious house whatsoever wherein the Popish religion shall be publicly exercised or used, or by any Jesuit or Popish priest whatsoever, or under the name or colour of any charity, benevolence, or alms towards the relief of any such abbey, etc.

[Read 1ª this day. L. J., XIII. 412. Laid aside, after commitment in the Commons. C. J., IX. 564. The Bill was ordered to be prepared by the Judges on 7 Dec., in accordance with the debate that day, at which some of them were present (L. J., XIII. 407.). Of this debate and the proceedings in Committee of the Whole House, the MS. Min. record as follows: —The House being put into a Committee, the proposition concerning the hindering the sending children to seminaries is debated. It is to be considered whether the laws in being are not executed. Upon further debate it is proposed That the eldest son of a papist, which son turns Protestant, shall inherit, though disinherited by his father for that cause. That there be a council *de conservandâ fide*. It being moved that the Judges present may be heard, *L. Chief Justice North* says that in the case of Cottington, a verdict went for the next of kin, a Protestant. That care has not been taken which ought to be, upon youth going abroad. So long as there is a general going over for curiosity, the care hath been neglected. *L. C. Baron* says the claim of the next of kin is not extensive enough. *Justice Windham* says the laws in being are severe enough, but if men take the oath, they must have account of mesne profits of their estates, and so the parties are careless, and none will prosecute without advantage, and there wants encouragement in the

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statutes.—It is then moved that the Judges may consider of the statutes, and bring in writing the reasons of their not being executed, and prepare remedies to be offered to the Committee at next sitting. Every Papist to register his children in the county where he lives. The sending daughters to nunneries to be prevented. That no Papist children be sent abroad. That consideration may be had for recalling those abroad now, as well as for preventing it for the future. That the trustees for conveying money to nunneries may be discovered. The House being resumed, the E. Bridgewater reports. Rest as in L. J. *See also* No. **119.**]

Annexed:—

(*a.*) 13 Dec. Minute of proceedings and amendments made in Committee on the Bill this day. [The E. Huntingdon appears as the Chairman. On the back are the amendment in the penalty in Clause i. and that in the Title, in C. J. North's hand.]

(*b.*) 14 and 16 Dec. Similar minutes, &c. for Dec. 14 and 16.

(*c.*) 16 Dec. Draft clause concerning children without estates, who offend against this Act, at the end of Clause ii. Prepared, as appears from preceding paper, by the judges. In C. J. North's hand.

(*d.*) 16 Dec. Order to report the bill. L. J., XIII. 420.

(*e.*) List of amendments in Committee. Made on Dec. 13, 14, 16.

49. Dec. 11. Warcup *v.* Rowney. — Petition of Edmond Warcupp. Petitioner had bought the Manor of Northmore, Oxon, from Edward Twyford on a false particular drawn up by the latter, which overstated the extent of the Manor by 38 acres and suppressed certain charges on the Estate. A decree in the King's Bench in Petitioner's favour had been reversed in Chancery, and Petitioner's Bill of Review against Thomas Rowney, Executor of Twyford, who was dead, had been dismissed. Prays for reversal of the Decree in Chancery. [*Endorsed* as brought in this day. No entry in L. J. or M.S. Min. of date; but *see* L. J., XIII. 633. The Appeal was heard on 23 June 1685, *Mr. Phillips, Mr. Cresset* and *Mr. Williams* appeared for Appellant, and *Mr. Rawlinson, Mr. Porter* and *Mr. Hutchins* for Respondent. L. J. XIV. 56 and MS. Min. of date.]

Annexed:—

(*a.*) 4 Nov. 1680. Petition of same. His above petition, in pursuance of an Order of the House not to intermeddle with any private affairs, had not been read. Prays it may be read, and Rowney ordered to answer. L. J., XIII. 633.

(*b.*) 11 Nov. 1680. Answer of Thomas Rowney. The Decree was just. *See* L. J., XIII. 734.

(*c.*) 30 May 1685. Petition of the Appellant, reviving the Appeal, and for a day for hearing. [Brought in this day. Read 1 June. L. J., XIV. 23, 25.]

(*d.*) 12 June 1685. Petition of Thomas Rowney. Has been nine weeks sick of an intermittent fever, and cannot travel. Prays the Hearing may be put off. L. J., XIV. 38.

(*e.*) Medical Certificate by William Gibbons, of the University of Oxon, Doctor in Physic, to above effect, and appended to preceding. Dated 8th June.

50. Dec. 11. E. Mulgrave *v.* Sheffield.—Petition and Appeal of John, son and heir of Edmund, who was the grandson of Edmund, late Earl of Mulgrave, and of Sir John Monson, Bart., Knt. of the Bath. A rent of 1,640*l.* a year was payable to Petitioner's great grandfather for some

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alum works at Mulgrave by Sir John Gibson, then Farmer of all the alum mines in England, out of which 1,200*l.* was settled on the Countess and the younger sons, James, Thomas and Robert, and 440*l.* remained at the Earl's disposal. 200*l.* of this he settled on Mrs. Jane Sheffield so long as Gibson's lease continued, and 100*l.* on her husband James Sheffield. In 1648 Sir Paul Pinder, Gibson's Assignee, discontinued the payment from the alum works on the ground that it was a monopoly, and these reverted to the family, whereupon Mrs. Jane Sheffield sued Petitioners for the arrears of her annuity and her husband's since 1648, and obtained a Decree in Chancery against them, against which Petitioners appeal, praying that Mrs. Sheffield may be ordered to answer. Sir John Monson is E. Mulgrave's Guardian. [*Endorsed* as brought in this day. No entry in records.]

51. Dec. 11. L. Howard of Escrick's Privilege.—Petition of Edward Merrie, youngest son to Thos. Merrie, late of Gopshall, in the county of Leicester, Esq. Petitioner's elder brother Thomas having withheld his portion from him, petitioner sued him and took out Execution on a judgment against him. Thomas, however, brought a Writ of Error for delay, and then sheltered himself under a Protection he got from L. Howard of Escrick. Inasmuch as the Execution was taken out before the Protection had been granted or Lord Howard had become a peer Petitioner prays the protection may not obstruct a previous Execution. L. J., XIII. 412. [Read this day and referred to the Committee for Privileges. No entry in Priv. Book.]

52. Dec. 11. Popish Plot (Capt. Spalding).—Petition of Capt. Francis Spalding. Petitioner, having always faithfully served His Majesty, and being a true Protestant, has been aspersed with disloyalty and Popery. Acknowledges his omission of those religious duties, which he ought to have performed; but craves leave to vindicate his religion and loyalty, and prays to be discharged on bail. L. J., XIII. 412. Comp. *ib.* 401, 404, 407. [The information against him on the 4th was given to the House by E. Shaftesbury. (MS. Min. of date.) On the 11th the Committee for Examinations ordered what was entered on the Journals of Nov. 12 and 21, and Dec. 4 (L. J. XIII., 352, 368, 401) to be reported to the House (Exam. Book, 11 Dec.). *See also* No. **110.**]

53. Dec. 11. Casbeard *v.* Hart.—Petition and Appeal of John Casbeard, Gent., Executor of Anne, his late wife, who was Executrix of Sam. Hilliar, her former husband, deceased; appealing against a decree of the Court of Chancery, concerning some money which had been left to his late wife by her former husband, and which, as she was then under age, had been entrusted to her brother Richard Hart. Petitioner alleges that Hart had improperly obtained a release from his sister for money in his hands, and that the Court below had been unable to sift the case properly. Appeal certified by W. Leigh. [Endorsed as brought in this day. No mention in records.]

54. Dec. 12. Popish Plot.—MS. Minute Book of the Committee for Examinations. Begins this day: ends 30 Dec. Vol. II. The Chairmen are as follows: *E. Clarendon* on Dec. 12, 16, 26–28, 30; *E. Essex* on Dec. 13, 17, 18, 20, 21, 23; *E. Shaftesbury* on Dec 14; *M. Winchester* on Dec. 14 (p.m.); and *V. Halifax* on Dec. 21 (p.m.). The contents of this volume, besides what is given in connection with papers in this Calendar, are as follows:—

(*Colvin, Pugh, Fleming.* Continued from No. **5**).—12 Dec. *Margaret Robinson's* Deposition, taken 8th inst., before the Marquess

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of Winchester, is read. The Papers brought in this morning, (taken at Mrs. Fleming's house at Dover) by Mr. Secretary Coventry, are read . . . . The *Bp. of London* has five Almanacs, with several things written in them, and three parcels of papers, much of them in Latin, delivered him to peruse at home, and to give the Committee an account of them. The *E. Essex* and *E. Clarendon* have several papers home with them to peruse. A small parcel taken from a Swiss Minister is delivered to E. Clarendon to be given to Mr. Secretary Coventry. . . . *Mrs. Fleming* of Dover, a French woman, in whose hands several of the letters now read were found, is called in. Being sworn, she says she is a Protestant, but a Frenchwoman. She has lived five years at Dover. She has known Colvin three years. When he was last at her house he left several letters with her, which she sent post to London. He brings his letters in his bag, but she knows not how he escapes searching. She has sent more by the post after him than those which are now produced, which were taken with her. She never knew what religion he was of, but he brings many passengers to her house, which is an inn and tavern. The *E. Clarendon* is desired to acquaint Mr. Secretary Coventry that if he has nothing against Mrs. Fleming or the Swiss Minister in prison at Dover, their Lordships find no cause to detain either of them longer.—16 Dec. The *Bp. of London* delivers in the Papers and book which were given him on the 12th inst., to peruse. The Almanacks, he says, he has not yet perused. The *E. Clarendon* delivers in the papers he had to peruse.—17 Dec. The *Bp. of London* delivers in the five Almanacs. He says there is a diary in them, which reflects on the Court and Parliament. He reads the abstract he has made. *Mr. Colvin* is called in. Says he was lately in France. That he carries over persons into France, and has carried young women to monasteries. He knows not Pugh. He is no Protestant, but has taken the Oaths. He withdraws. *Margaret Robinson* is called in, and is told that she was formerly sworn and speaks now upon oath. She says that Colvin said that Oates was a rogue, and all was lies that he had said, and that Pickering was a poor innocent tailor. *Colvin* is called in. Denies that he knows Mr. Oates or said anything of him. Says he can neither read nor write. Denies he knows Pugh or the Almanacs now shown him. *Ordered* to report that in Pugh's Almanacs there is a Diary which reflects on the Court and Parliament, and a diary of what is done in Parliament against the Papists, and the names of the persons that at any time speak against Papists. [The House, on this report, ordered the papers to be given to the Attorney General. L. J., XIII. 420–21.]

(*Papers for Privy Council*).—12 Dec. A letter directed to Mr. Secretary Coventry from Walter Burke, and several examinations taken at Chester, directed to the Lords of the Privy Council, are delivered to the E. Clarendon to deliver to Mr. Secretary Coventry.

(*Quoile and Adams*).—14 Dec. Ordered that the Keeper of Newgate bring Patrick Quoile and John Adams, lately brought from Chelmsford gaol, before their Lordships at 4 p.m.—*Eod. die* p.m. *John Adams* is called in. He is asked who gave him the mare he usually rides on, and whether she is not worth 20*l.* Says that Mr. Edmonds, Lord Petre's bailiff, gave it him, and he will sell her for 30*s.*, though she stood him in 16*l.* He is a Protestant. Denies having been in the Plot for these five or six years, or having any knowledge of it, or having carried any letters to any Papist. He received the Sacrament last Easter at Ridle, his parish church. Denies ever having said that if he were hanged, good men would be hanged with him. Has not spoken

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to Sturgis for seven years; he heard him preach fourteen years since upon two joint stools, at the burial of an Anabaptist, and has since heard he was a Catholic. *Capt. John Drake* says he knows Quoile, and has heard he was a Catholic, but he never received any letter from him. Says he is an indigent officer. Clater, the clerk to the Trustees to the Lotteries, lives in Gunpowder Alley, between Shoe Lane and Fetter Lane. He goes to no Church, and is neither Papist nor Protestant. Quoile's examination, taken before Sir Mundeford Brampston, 22 Nov. 1678, is read.

(*Arms in Bp. of Winchester's house.* Continued from No. 5).—14 Dec. Ordered That Osborne and Arnold attend on Monday.—16 Dec. Mr. Snow informs the Committee that he could not find Arnold, but he left the Order for his and Osborne's attendance with Osborne's wife yesterday. Ordered, That if Osborne attend not this morning, the House be moved that he be taken into custody. [*See* L. J. XIII. 418.]—17 Dec. Osborne is called in. Sir G. Charnock informs the Committee that he had absented his lodging at Charing Cross, and that he found him at Southwark, and that he was unruly. Osborne denies it. Says that about a year and a half or two years since he and Arnold made up arms in the east end of the Bishop's house in the ceiling; they did it privately, and a gentleman, whose name he knows not, paid him; Arnold spoke to him to do it. He never worked there before nor since, nor can he now find Arnold. He withdraws. Ordered That the House be acquainted with what Osborne has said. [*See* L. J., XIII. 421]. Osborne, recalled, says Arnold used to lodge in St. Giles', but is not there now. Believes, if he might have his liberty, he might still find him.—27 Dec. Capt. Daniell is called in. Says he knows nothing concerning arms in the Bishop's house, but that Osborn told him he walled up arms there. He withdraws.

(*Standish*).—14 Dec. A letter from Mr. Marsden to the M. Winchester, dated the 9th inst., and a Deposition of Thomas Carr of Gargrave, touching letters taken there, directed to Mr. Standish (wherein is nothing material) is read. [*See* L. J., XIII. 395.]

(*Papists' meetings*).—14 Dec. Capt. Richardson delivers in a letter, directed to him, from Margaret Elstone, which one of his servants found, discovering some meetings of Papists in Duke St., etc. He is directed to get a warrant from the L. C. Justice and search.

(*Prohibited goods*).—16 Dec. Mr. Barrow informs the Committee that in searching for Harcourt, a priest, he has found at a house in Wild Street several prohibited goods, which he desires their Lordships' order for removal of. He is directed to inform some Justice of peace in the division where the goods were found.

(*T. Rice*).—16 Dec. Thomas Rice, who serves the Prince's pages, is called in. Says he is a Protestant and knows none of the Plotters, nor knows who wrote the letter now produced, which was found in the street near Mr. [Justice] Povey's, which charges him with being a messenger to the Plotters. He withdraws.

(*Staley*).—17 Dec. Mr. Stone is called in and asked whether he has Staley's books of account. He says he never saw them; he believes they are in his servant's hands and that Mr. Griffith and Mr. Colly know Staley's concerns well. Ordered That Colly and Griffith attend to-morrow, and that Mr. Snow seize and secure Mr. Staley's books of accounts, and seal them up, leaving them in the custody of the persons in whose hands he finds them. 18 Dec. *John Griffith* is called in, and sworn before the L. Privy Seal. Says he is servant to Mr. Staley. Has lived with him

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above seven years. He receives and pays money for him. He is a Protestant. He knows not Sir G. Wakeman, nor that his master has ever paid him any money, or ever bought any land of him. His master has the books, viz[t] a cash book, a day book, and a book of accounts. *Francis Colly* is called in and sworn by the L. Privy Seal. Says he is Staley's next neighbour. He has heard a vulgar report that Staley paid Sir G. Wakeman money, but he knows nothing of it himself; nor does he know Sir G. Wakeman nor ever had any inspection into Staley's books. Ordered That Mr. Staley attend to-morrow and bring with him the books wherein he has kept his accounts the last two years.—19 Dec. Mr. Staley informing the Committee that he was appointed to attend Sir Francis Winnington with his books of account, their Lordships ordered him accordingly.

(*Nevill* alias *Paine*).—17 Dec. Ordered that Nevill *alias* Paine attend to-morrow, with the constable that seized him.—20 Dec. Sir Richard Everard delivers in a paper entitled "An Elegy to the dignified Martin E.C." taken from Nevill when seized, which is read. Thomas Curtis is called in and sworn before the Bp. of London. Says he was Mr. Nevill's servant for a year and a half, about 11 years since in Ireland, and about March last renewed his acquaintance with him. Denies that Nevill ever told him anything of the Plot, but he has heard him often speak of the ill posture of the King's affairs, and that great store of moneys was raised in Scotland, and many arms, etc. He produces a letter from Nevill to Col. Mansell, which is read and delivered him again. The House sitting, the Committee are sent for.—21 Dec. A petition of Mr. Nevill is read, and the consideration of it put off till E. Clarendon be present.—23 Dec. Mr. Bedloe informs the Committee that he has several witnesses that will prove that Nevill said that Mr. Oates and he were only messengers to the Jesuits, and he knew more than they did. Ordered that M. Winchester be desired to take good bail of him to appear at the next sessions to answer such things as shall be objected against him on the King's behalf.—26 Dec. Ordered that Mr. Nevill and Mr. Young attend to-morrow. [No further entry.]

21 Dec. Edmund Everard, living at the Barber's Pole, against Gray's Inn, delivers in a paper written in French, which he swears to be true, and is ordered to bring it again in English.

(*Finch, Archbishop of Tuam*). Continued from No. 5).—23 Dec. Mr. Ward, called in, says he has James Finch, Titular Archbishop of Tuam in Ireland, in his custody. He remembers that Martin French witnessed against him that he said several families had starved by King James' means.

(*H. Stephens*).—A Petition of Henry Stephens, G. Williamson, and Rob. Williamson is read. Ordered, That the House be acquainted with it.

55. Dec. 12. Popish Plot (Place for Prisoners).—Petition of Sir G. Charnock, Serjeant-at-Arms attending the House, to the Committee for Examinations into the Popish Plot. Complains of not having, like the Serjeant-at-Arms in the Commons, any proper place wherein to secure his prisoners, except the Painted Chamber. Prays that the Lord Chamberlain may be moved to enclose a convenient place, at the north-west corner of the Court of Requests, for that purpose. L. J., XIII. 414. [Offered this day to the Committee, and ordered to be reported to the House as fit to be recommended to the L. G. Chamberlain. Exam. Book of date.]

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56. Dec. 14. Garter's Roll.—A Perfect List of the Nobility, delivered in to the Clerk of the Parliaments by Garter, Principal King of Arms, on Saturday, the 14th of December 1678, by special order of the House of Peers. *Parchment Collection.* [Ordered 22th Oct. L. J., XIII. 308. *See also* L. J., XIII. 384, and Priv. Book 4 Nov. There was a question as to the precedence of E. Feversham, E. Burford, and E. Ferrers.]

57. Dec. 14. L. Holles' Privilege.—Copy of Schedule by the Collectors under the Poll Act, for Aldenham, in the County of Hertford, allowed and signed by the Commissioners, returning Lord Holles, among others, as a defaulter to the extent of £20 1*s.* 0*d.* *See* L. J., XIII. 415.

58. Dec. 14. Papist's Passport (R. Grosvenor).—Petition of Richard Grosvenor, Gent. In obedience to the King's late proclamation, he has withdrawn more than ten miles from London, but finding such oaths were to be tendered to him as he could not take, he prays for a passport to go abroad. L. J., XIII. 417.

59. Dec. 14. Papists arrested (Titchborne and Barnesley).—Sir G. Charnock's account of his taking into custody Sir Henry Titchborne, out of Winchester gaol, and delivering him to the Tower, pursuant to the order of the 6th inst., and Henry Barnesley, out of Worcester gaol, pursuant to the order of the 3rd inst. *See* L. J., XIII. 399, 406. [On 5 Dec. the Committee for Examinations ordered that the House be moved that Sir Henry may be sent for from Winchester gaol. Exam. Book of date.]

Annexed:—

(*a.*) 13 Dec. Receipt for the body of Sir Henry Titchborne. Delivered by J. Button and J. Harwood, deputies of Sir George Charnock. *Signed* J. Robinson.

60. Dec. 14. Popish Plot (Thimelby).—Petition of John Thimelby, Esq., prisoner in the King's Bench. Has been in custody for above a month, on a charge of being knowing of the horrid design against the King and Government. Prays to be discharged on bail. Will attend the House whenever summoned. L. J., XIII. 416, 418. *See also ib.* 352, 354 and No. **33**.

61. Dec. 16. Supply Bill.—Commons' Engrossment of an Act for granting a Supply to His Majesty of £206,462 17*s.* 3*d.* for the effectual paying off and disbanding all the forces raised or brought over from foreign parts into this kingdom since the 29th of September 1677. Differs from the Act of 1679 (31 Car. II. c. 1) in the following particulars, with variations of detail consequential thereupon:—The collection is spread over 12 months instead of six. The Commissioners are the same as in the Poll Act of 1677 (30 Car. II. c. 1.) The money is to be received by the Chamberlain of the City of London, instead of by the Exchequer, and Receivers General are allowed 3*d.* in the £, and Collectors 1*d.* in the £. After § X. comes a Proviso confirming a Chancery Decree for the quieting of suits between the Counties of Salop and Stafford as to payments on lands in Sheriff Hales in Staffordshire. (*See* 30 Car. II. c. 1. § 59.) § XIII. is wanting in the Bill. The penalties in § XXI. are omitted, and the mode of accounting in § XXII. is not specified. The Bill disbands, besides the forces mentioned in § XXIV. of the Act, "the regiment of horse, now "or late of Christopher, Duke of Albemarle, otherwise called the "Queen's Regiment of Horse; the regiment of horse, now or late of "Henry, Earl of Peterborough, otherwise called The Duke of York's

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" Regiment; the regiment of horse, now or late of Charles, Lord " Gerrard of Brandon;" the foot regiments of George, Earl of Dunbarton, Lord James Douglas, and Colonel Dungan (commanded by Lt.-Col. Lawrence Demsy), and those of Edward, Lord Morpeth, Sir Henry Goodrick, Sir John Fenwick, Col. Edward Villiers, and Henry, late Lord O'Bryen (commanded by Lt.-Col. Thos. Salusbury), of each of which last five regiments only two companies are mentioned in the Act; as also the Grenadier Companies of Capt. Edw. Boteler, Capt. George Rattery (commanded by Ensign Menaken), and Capt. Thomas Hawley (instead of Capt. George Wingfield in the Act). The additional surgeon to the Isle of Wight is not in the Bill. The name of Sir Thomas Player, as one of the Commissioners in § XXV., is wanting in the Bill. The payment of arrears to General Officers appointed since 29th Sept. 1677 is provided for. Claims for arrears are to be presented through the regimental Colonels and Paymasters direct to the Commissioners; no deductions for clothes, as in § XXVII., are mentioned, and paragraphs 2, 3, and 4 are wanting. The Commissioners for disbanding are to have 1*d.* in the £. Soldiers continuing together above ten to be felons. Soldiers enlisted since 1 Nov. 1678 are excluded from the indemnity of § 29. Finally, provision is made for the proper delivery up of all arms, &c. (except swords) to the Master of the Ordnance, by the troops now serving in the Netherlands, before landing; for the quartering of the troops near their landing-place to await their being paid off and disbanded; and for the payment of sick officers and soldiers left behind. § XXXII. is wanting in the Bill. *Parchment Collection.* [Brought from the Commons and read 1ª this day, reported with amendments on the 20th (L. J., XIII. 419, 425), and passed, but dropped with the Session after several conferences with the Commons. On the 18th, in Committee of the whole House, it was resolved, after a long Debate, upon a vote, to pay the money into Exchequer instead of the Chamber of London, and consequential amendments were made. It was then agreed that a distinction be observed of the English, Scottish, and Irish nobility in the clause enumerating the forces to be disbanded, and a Sub-Committee was appointed to word the amendments, assisted by C. J. Scroggs and Justice Atkins. On the 19th the Sub-Committee reported, and the opinion of the Judges was desired upon the penalty for soldiers keeping together after being disbanded. Thereupon *C. J. North* gave his opinion that, as the clause was penned, it reached to any new commission as well as to old. The last part of the clause, concerning the coming together of 10 after they were disbanded, was not within the Act. *Justice Atkins* said the clause did not disable the King to grant hereafter any new commission, nor any person, after disbanding, to take one. It was fit some words of explanation should be added. *Baron Thursland* said the punishment in the clause was so great that the clause ought not to bear a dubious interpretation, and that therefore it ought to be so plain that the people who were to obey might understand, and that therefore the clause ought by some words to be explained. It was then referred to the Judges present to word a clause to the effect of the present debate, and offer it to the Committee to-morrow, as also a clause of indemnity to officers and soldiers, which had been read " again and again," and the Proviso excluding certain soldiers therefrom was agreed to be left out. The Sub-Committee were then instructed to rectify the business of the E. Bath's Company at Plymouth and of L. Arundel of Trerice at Pendennis. On the 20th the part of the companies at Pendennis and Plymouth to be disbanded was restricted to the men raised since 29 Sep. 1677; the clause as to soldiers

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keeping together was agreed to be left out (it was reinserted in an amended form on Report, *see* MS. Min., 20 Dec.), and the clause of indemnity was agreed to as amended by the Judges. MS. Min., 18, 19, and 20 Dec. The Exam. Book, on 26th, gives the Lords' Reasons for insisting on their amendments, which were ordered to be reported on 28th, and are set out *in extenso* in L. J., XIII. 443.

Annexed:—

(*a*.) 20 Dec. Lords' Amendments in Committee, reported this day, with the Commons' resolutions marked thereon. L. J., XIII. 424–5. *In extenso.*

(*b*.) 28 Dec. Proviso as follows:—"Provided always that nothing "in this Act contained shall extend or be construed to extend "to debar or lessen his Majesty's legal power and authority in "and over the militia and forces of this kingdom, but that his "said power and authority shall remain entirely the same after "the disbanding of the said army as it was before the passing "of this Act, and that all officers, soldiers and other persons "shall remain and be subject to his Majesty's lawful authority "and commands in the same manner as they were before the "*passing of this Act*, and not liable to any penalties and "forfeitures for obeying or executing the same, anything in "this Act to the contrary notwithstanding." [In E. Anglesey's handwriting. Ordered by the House this day to be prepared by him and D. Bucks and E. Essex. On the Proviso being reported to the House this day the words in Italics were altered to "raising the said army." L. J., XIII. 446 and MS. Min. of date.]

62. Dec. 16. E. Northampton's Privilege. — Petition of John Stannion, Thomas Julian, James Stannier, Thomas Brawne, John Harriott, Henry Lamson and William Knight, signed by John Brockett, their Attorney, setting forth that they had employed one John Robinson, an Attorney or Clerk of the Court of Common Pleas, to procure for them a lease of the Manor of Brigstock in the County of Northampton, part of the Queen's Jointure. They had given Bonds for the payment of the fine for the lease, and were being sued by Robinson on those Bonds, though they had offered payment of his outlay. On Petitioners filing their Bill against Robinson to prevent his extortionate proceedings, he sheltered himself under the protection of James, Earl of Northampton, who refused to withdraw it. Pray to be allowed to proceed against Robinson notwithstanding. [Visct. Halifax having moved the House this day upon a petition which he received at the door, the above petition was read, and after debate, the petitioners were ordered to attend E. Northampton, who stated that Robinson was his menial servant and no Attorney. MS. Min. of date. Comp. L. J., XIII. 426, and MS. Min., 20 Dec.]

63. Dec. 17. Papists in London (John Mawson). — Petition of Thomas Earl Rivers and Sir Wm. Walter, Bart., on behalf of themselves and John Mawson of the Parish of St. Dunstans in the West, London, Goldsmith, praying that the time granted to Mawson by the Orders of the House of the 6th Decr. to come to his shop and pay his creditors, may be extended, in order that he may be enabled to get in money due to him and pay his just debts to Petitioners and others, with whom he has always dealt honestly and justly. *See* L. J., XIII. 405, 420. [Read this day.]

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64. Dec. 18. Papists in London (John Wolf).—Petition of Andrew Newport, Esq., Sir Wm. Walter, Bart., and Edward Vernon, in behalf of themselves and many other Protestants, praying that John Wolf, who had left London in obedience to the King's Proclamation, may have leave to return, as he has for many years managed the affairs of the Petitioners, as their Agent, and is one of the Executors of the late Countess of Thanet, having many of her documents in his custody. L. J., XIII. 422. [Read this day.]

Annexed:—

(*a.*) Dec. 18. Certificate signed by Rich. Tufton, And. Newport, H. Norwood, E. Vernon, Ja. Halzall, and Sir Wm. Walter, that John Wolf, of Gt. Queen St., is well inclined to His Majesty's service; and that he is employed by them, and their affairs would suffer by his absence. They offer themselves as security for his quiet and peaceable demeanour. [Appended to preceding.]

65. Dec. 19. Blackborow *v.* Blake.—Petition of Peter Blackborow, Gent. Petitioner had agreed to sell some collieries in Northumberland to Francis Blake, Esq., who, pending the execution of the conveyance, entered upon the premises, and derived profits therefrom. Subsequently Blake, on seeing Petitioner's title deeds, refused to allow the conveyance to be drawn unless Petitioner gave him collateral security. This the latter declined to do, and, being advised that Blake had withdrawn from further prosecution of the agreement, sold the premises to Hugh Boscawen, Esq. Blake then obtained a Decree in Chancery, ordering Petitioner to fulfil his agreement, which he cannot do, as he has since sold the collieries to Boscawen. Prays that Blake may be ordered to answer. L. J., XIII. 480.

Annexed:—

(*a.*) 10 Nov. 1680. Answer of Francis Blake, Esq. The premises were to be conveyed to him free from all incumbrance by Appellant, William or Mary Muschamp, William Watts, or William Carr, or Etall. The conveyance was not executed because Appellant had not produced the most material Deed for clearing the title. But when this was produced, Respondent was satisfied, and tendered half the purchase money on the day appointed. He has laid out money on the colliery, and prays to be dismissed with costs.

(*b.*) 11 Nov. 1680. Petition of Appellant that Respondent may be ordered to answer forthwith. MS. Min. No entry in L. J.

(*c.*) 27 Nov. 1680. Petition of Respondent for a short day for hearing the question, which is very short. Petitioner has come from Northumberland on purpose. L. J., XIII. 692.

(*d.*) 22 March 1680–1. Similar Petition of same, who has made three journeys from Northumberland in the hope of being heard. L. J., XIII. 748.

(*e.*) 22 March 1680–1. Draft order on preceding Petition. L. J., XIII. 748. *In extenso.* [25 March 1680–1. House moved that another day might be appointed to hear the cause. Nothing done in it.—26 March. Attorney-General allowed to be of Counsel in the cause (MS. Min of dates. No entries in L. J.). The Appeal never came to a hearing.]

66. Dec. 20. Edwd. Whitaker.—Petition of Edward Whitaker. Is unable, being in prison and having no estate, to bring his witnesses from Worcester touching the charges brought against him, of which he is innocent. Submits himself to the House, and prays to be discharged.

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L. J., XIII. 426, 429. Comp. *ib.* 399, 415, 416. [Whitaker was first informed against on 27 and 29 November by Richd. Bell and Samuel Browne before the Mayor of Worcester, who wrote to Serjeant Street on the subject. On his examination at the Bar on 14 Dec., he said he went to Worcester to look after Mr. Powell, who supped with him the first night. He had witnesses to prove that Browne was threatened to swear as he had done, or that he should be imprisoned. He did say that there were (as he heard) but five bishops now in the House. *Harris*, the town-clerk of Worcester, deposed that the Mayor wrote to him that Whitaker behaved himself unmannerly to him, and that he said Serjeant Street was a fit fellow to make a Welsh judge. On 21 Dec. the House discharged him on his submission, it being first proposed that he should make a public recantation in Westminster Hall and on the Exchange. MS. Min., 13, 14, and 21 Dec.]

Annexed:

(*a.*) 21 Dec. Draft order directing the Keeper of Newgate to discharge Whitaker. L. J., XIII. 427. *In extenso.*

67. Dec. 20. L. Herbert of Cherbury.—Writ of Summons to Parliament to Henry, Lord Herbert of Cherbury. [Took his seat 23 Dec. L. J., XIII. 431.]

68. Dec. 21. Popish Plot (Evidence).—Draft order to the Committee for Examinations to prepare papers, for communication to the Commons, to be used as evidence against persons to be tried. L. J., XIII. 428–9. *In extenso.* [This order was made on the House being moved that the Attorney General might have the examination of Richard Gastrell delivered to him, or that it might be committed to the Committee of the House of Commons. MS. Min. of date.]

69. Dec. 21. Popish Plot (G. Milborne).—Draft order for Bedloe to attend on the 23rd, when George Milborne is to be brought to the Bar. L. J., XIII. 429. [A Mr. Charles Milborne, of Monmouth, is mentioned by Bedloe in his examination at the bar on 12 Nov., as one of several who were to meet in Wales, under Lord Powis and Lord Petre, and march with an army to meet another army from Spain at Milford Haven. (L. J., XIII. 352.) On 23 Nov. the Committee for Examinations reported that Bedloe had told them he had given the name of Charles Milborne for George Milborne by a mistake; and the House then ordered George Milborne to be attached (*ib.* 372). On 26 Dec. the Committee ordered that E. Clarendon move the House that Milborne might be brought to the Bar (Exam. Book), and on the 28th, the Earl having reported to know whether Milborne, then in the custody of the Serjeant-at-Arms, should be examined at the Bar or before the Committee, the House ordered him to be brought to the Bar to confront Bedloe, who demanded the benefit of the proclamation (MS. Min. of date). The remaining proceedings of the 28th are set out in L. J., XIII. 444.]

Annexed:—

(*a.*) 28 Dec. Draft order for the Serjeant-at-Arms to deliver George Milborne in the Gatehouse. L. J., XIII. 444. *In extenso.*

70. Dec. 21. Popish Plot (Ireland and Denmour).—Draft order, on report from the Committee for Examinations, for the arrest of Gerrard Ireland and William Denmour. L. J., XIII. 429. *In extenso.* [The Exam. Book of 20 Dec. 1678 states that Richard Gastrell, of the Grange in Gloucestershire, and lodging at Mr. Verger's, in Black Lion

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Yard at Whitechapel, said he was now a Protestant, and had been five weeks in England. Sir Giles Escourt brought him to the Jesuits at Rome, who brought him to Cardinal Barberini, who allowed him 18 crowns per month as his Gentleman. Afterwards he was placed in the College of Jesuits, and forced to stay there against his will, till at last he came away, whether the said Cardinal and Rector of Jesuits would or no; and at his coming away, the Cardinal charged him to be true to the Duke of York. He heard Gerard Ireland and William Denmour, Jesuits, say in Lent last they hoped to have benefices in England, and that there was no question but when the King died, the Popish religion would be exercised there; and he heard them say that the King of England had been ungrateful to the Catholics, and that he was a shame to all princes. He further said that as old as he was, if England were converted, he would go thither, &c. (*Note* in margin: Ireland, mentioned in the deposition, lives in Yorkshire, and Denmour in Lancashire).—Then follows the examination of Gastrell as in L. J., XIII. 428. *In extenso.* The Committee on the 21st ordered a Petition of Gastrell's to be reported].

71. Dec. 21. Popish Plot (Gratiano).—Draft order directing Dominico Gratiano, who is brought up by the Sheriff of Bristol, to be committed to the Marshalsea. L. J., XIII. 430. *In extenso.* [Gratiano had been sent for by the House by an order of 30 Nov., a letter, signed by him, being read in the House that day, charging Georgerine with having said that he "hoped to hear mass in Bristol Cathedral." (L. J., XIII. 395, and MS. Min. of date). The House sent for him again on the 11th to give evidence against Georgerine (*ib.* 412). On the 12th, in the Committee for Examinations, the M. Worcester delivered in a further Information of Gratiano, dated 9 Sept. 1678, which was read and ordered to be reported. (Exam. Book 12 Dec). See further L. J., XIII. 414, and Calendar, 4th Report App. p. 234. M. Bath's MSS].

72. Dec. 21. Popish Plot (Tasborough).—Draft order requiring the Serjeant-at-Arms to deliver Richard Tasborough to such persons as the Lord Chief Justice shall direct. L. J., XIII. 429. *In extenso.* [Henry Thorne's information against him (L. J., XIII. 402) was brought in by the Duke of Albemarle. L. Cornwallis said he was told lately that only a pocket pistol was found in Tasborough's house. (MS. Min., 5 Dec.) Thorne was examined before the Committee for Examinations on 19 Dec., and his information sworn to before the L. C. Justice Scroggs (Exam. Book 19 Dec.). It was afterwards reported to the House, and is given in L. J., XIII. 426.]

Annexed:—

(*a.*) 26 Dec. Draft order referring to the Committee for Examinations to examine Richard Tasborough and Thomas Thorne. L. J., XIII. 439. *In extenso.* [Tasborough, being called before the Committee on the 27th denied that he had had for the last sixteen years more than two cases of pistols and three or four small guns. The Serjeant-at-Arms desired he might secure Thorne in the Gatehouse, as Thorne had no money, and he had kept him for a week. Exam. Book.]

73. Dec. 21. Middledorp's Relief Bill.—Draft of an Act for the restoring of the goods of Peter Middledorp and others, seized by Daniel Giles near Portsmouth, and condemned in His Majesty's Court of Exchequer as imported contrary to the late Act of Parliament against importation of French Goods. The Bill recites that the ship

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"Prosperous," John Read, Master, was in March last laden with French goods to the value of £20,000, at Rouen for Hamborough; but on her way thither she was driven by stress of weather into St. Helen's Road, and then brought nearer Portsmouth for safety; that Daniel Giles and others, on the 4th April last, seized the goods as having been imported contrary to the Act 29, 30 Car. II. c. 1, and consequently forfeited; that the said goods were condemned by the Court of Exchequer, and that Peter Middledorp and others, owners of the goods, had petitioned the King, setting forth the circumstances of the case, and stating that bulk had not been broken and that there had been no intention to import the goods into England. It is therefore enacted and declared that the bringing of the ship and goods into Portsmouth was not an Importation contrary to the Act, that the seizure was not warranted, and that the proceedings in the Court of Exchequer are null and void; and further that the ship and goods shall be restored to John Read, her master, to be taken to Hamburgh so soon as the river Elbe is free from ice. Giles shall not be accountable for the seizure and detention of the goods, and shall be paid his expenses by Read on behalf of the owners. L. J., XIII. 429, 444. [Read 1ª this day, and 2ª, and Counsel heard in part at the Bar. *See* MS. Min. of 28th Dec. for evidence at the Bar. The Prorogation prevented any further hearing. *See also* No. **27**.]

Annexed:—

(*a*.) 21 Dec. Draft Order for hearing at the Bar. L. J., XIII. 430. *In extenso.*

74. Dec. 23. E. Danby's Impeachment.—Commons' Articles of Impeachment against Thomas Earl of Danby, Lord High Treasurer of England. L. J., XIII. 432–3. *In extenso. Parchment Collection.* [Brought from the Commons this day. Sir H. Capell read the articles at the Bar "to the Lord Chancellor and the other Lords standing about him" (MS. Min.). On the 27th, the House entering into consideration of the business, it was proposed to peruse the statutes declaring what is treason. It was also proposed that the consideration of the commitment of the Lord impeached may be debated. Upon debate whether the Lord impeached shall be committed, after a long time spent therein, the question was proposed whether the Lord Treasurer shall be committed? and leave asked for entering dissents if it be carried in the negative, which was granted. Proposed, that the Judges might be asked whether the Judges do not always commit, etc. as in L. J., XIII. 441. The Lord Chief Justice desired they might consult before they gave an answer, because they might at present differ till they had debated it, that they might come to give a unanimous opinion. Proposed, that the Judges might be asked whether if a prisoner bring his Habeas Corpus, and the cause certified be for treason in general, the prisoner be not always remanded? Whether the Judges can justify the bailing a man accused for misprision of treason? Whether if any person be indicted by the Grand Jury, etc. as in L. J., *ib.* The Judges then withdrew into the Prince's Lodgings to consult. The rest as in L. J. The Judges, in giving their opinion on the question of taking bail for high treason, referred to L. Coke, "Jurisdiction of Courts," fol. 73. (MS. Min. 27 Dec.) *See also* Nos. **80, 103, 120, 147**.]

75. Dec. 23. Popish Plot (Barnesley).—Petition of Henry Barnesley, now in the custody of the Serjeant-at-Arms, attending their Lordships. He has been brought hither from Worcester Gaol, and is to be returned thither. Is 82 years old, and troubled with divers diseases incident to age;

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and he has no means to provide reasonable necessaries at the dear rates of a prison. Prays their Lordships to supersede the order returning him to Worcester Gaol, and to discharge him on bail. L. J., XIII. 432. *See also ib.* 399., 417. [Barnesly, on being brought to the Bar on 14 Dec., said the *mittimus* of his commitment to Worcester gaol was a lie, but admitted having refused to take the oaths. MS. Min. 14 Dec.]

Annexed:—

(*a.*) 23 Dec. Draft order directing the Serjeant-at-Arms to deliver Barnesley for the present to the King's Bench Prison. L. J., XIII. 432. *In extenso.*

76. Dec. 23. Papists in London (Sheldon).—Draft order allowing Elizabeth and Catherine Sheldon to stay in town with their parents. L. J., XIII. 431. *In extenso.*

Annexed:—

(*a.*) 23 Dec. Letter from one of the daughters of Sir E. Sheldon to M. Winchester, praying him to obtain the permission of the House for their remaining in town with their parents. [M. Winchester moved the House in the matter this day. MS. Min.]

77. Dec. 26. Popish Plot (Coleman's Trial).—Draft order referring to the Committee for Examinations to examine a complaint of Bedloe and Oates that they are injured by the incorrect publication of Mr. Coleman's trial. L. J., XIII. 435. *In extenso.* [A report of this trial authorized by C. J. Scroggs, was published by Rob. Pawlet on 28 Nov. 1678. Howell's *State Trials*, viii. i. *note.*]

78. Dec. 26. Popish Plot (Harcourt).—Draft order requiring the Sheriff of the county of Salop to send Valentine Harcourt, a Popish priest, in custody in Shrewsbury gaol, to appear at the Bar. L. J., XIII. 435. *In extenso.* [Two letters to Lord Newport were read this day in the House, concerning Valentine Harcourt, a Popish priest of 75 years of age. Bedloe being called for to know whether this was the man (*see* L. J., XIII. 352), said the man's name was William Harcourt, as he had mentioned formerly. The House then made the above order. MS. Min. of date.]

79. Dec. 26. Popish Plot (Bulley).—Draft order referring to the Committee for Examinations the case of John Bulley, a Popish priest, in custody at Winchester gaol. L. J., XIII. 440. *In extenso.* [The Committee this day ordered that the Bishop of London be desired to inform himself further concerning Bulley. Exam. Book.]

80. Dec. 27. E. Danby's Impeachment.—Draft order allowing the Earl of Danby a copy of the articles of impeachment, and ordering him to answer. L. J., XIII. 441. *In extenso.* *See also* Nos. **74, 103, 120, 147.**

Annexed:—

(*a.*) 21 March 1678-9. Message from the Commons to put the Lords in mind of the impeachment of E. Danby. L. J., XIII. 470. Comp. C. J., IX. 572, where the words "sequestered from Parliament" are omitted. [Oates' deposition concerning words spoken by E. Danby, reported this day by E. Clarendon, was read, but nothing done in it. (MS. Min. L. J., XIII. 472 gives this entry on the following day). On the 22nd, after the King's speech, "the E. Sh[aftesbury] taking notice of what his Majesty hath said concerning the E. Danby, stated the present condition

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the E. Danby is in. Upon debate of this business, after some time spent therein, it is proposed that a Bill may be brought in for disabling the E. Danby to come into the King's presence, or return to Council or offices etc. *Question*, Whether a Committee shall be named to prepare a Bill upon the debate? Resolved in the Affirmative. A committee is named to prepare the Bill. . . Upon debate of the Heads for the Bill, It is proposed whether the excluding him from sitting in Parliament shall be a head, and agreed to." (MS. Min.) The Bill (*see* No. **103**) was reported and read 1ª on the 24th, after which "it being moved that the E. Danby may be committed, upon debate thereof, Ordered" as in L. J., XIII. 475 (MS. Min.). On the 16th April on consideration of what to say to the Earl when he was at the bar, it was agreed that it was not a time for him to speak as to his defence against the charge, but as to his withdrawing and not answering. The Earl, in answer to the Lord Chancellor, said "I think myself unfortunate to be here on this occasion. I am innocent of the charge that brings me here this day. It was not my inclination to absent an hour, but was discouraged by some proceedings of this House. I rely on your Lordships' justice. I humbly pray of your Lordships to let me have a copy of my charge, and time to answer; that I may have counsel assigned, namely, Serjeant Weston, Raymond, Saunders, and Holt, also the use of records and journals, the assistance of this House to his Majesty, summons for witnesses. [The] explication of my meaning [is] that I may not be charged to say what I did not say; that I may have my whole charge before I plead; and that I may have the convenience for my health of remaining with the Black Rod." On consideration of these requests, the paper on which the Earl had made them was brought into the House and read. The House expressly disallowed Serjeant Weston as counsel. As to the request of mediation of this House to the King for papers necessary to the defence of the Earl, "When E. Danby shall acquaint the House what papers he desires, he shall have an answer to it." These words are struck out and the following substituted:— "Nothing done in it, but if the Earl mention particular papers, the House will consider of it." As to his request "that he may have two persons to take notice of what he says, no order in it; he is left at liberty." The rest of his requests dealt with as in L. J. The Earl is then called in again, and told what the Lords have done upon his requests (MS. Min., 16 April)].

(*b.*) 21 April 1679. Petition of Thomas, Earl of Danby. Acknowledges with thankfulness their Lordships' allowance of six days time for Petitioner to put in his answer to the Articles of Impeachment. But their Lordships having disallowed one of his counsel, and another of them, Mr. Saunders, being out of town, so that Petitioner could not get him till Saturday last nor could he get any of them on Good Friday, nor to do anything considerable on Saturday, being Easter Eve, and yesterday being Sunday, Petitioner has been able to make very little progress in drawing up his answer. Forasmuch as the matter is of no less importance to Petitioner than the concern of his life, prays for some longer time to put in his answer. L. J., XIII. 530.

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(*c.*) 3 May 1679.* Answer of L. Danby at the Bar this day, stating his intention to abide by his plea of Pardon. L. J., XIII. 552. *In extenso.* [It being moved that the Earl should put in writing what he said at the Bar, "that there might be no mistake in it," the words were drawn into form by the Clerk, and then read, and rectified by the Earl at the Bar. MS. Min. of date.]

(*d.*) 5 May 1679. Draft order for the attendance of the Judges and the Attorney-General to-morrow. L. J., XIII. 553. [This order was made on consideration of the demand of the Commons at the Bar for Judgment against the Earl of Danby. The MS. Min. entry is as follows:—"The House being informed that the Speaker of the House of Commons with the members are at the door, the Lord Chancellor craves the direction of the House as to his behaviour upon their coming in. Upon debate whereof the Lord Chancellor is to keep his place upon the Woolsack."]

(*e.*) 5 May 1679. Draft order for the attendance of Mr. Justice Pemberton and Mr. Baron Raymond, as assistants, to-morrow. [No entry in records.]

(*f.*) 6 May 1679. Order for the Earl of Danby to make good his Plea on Saturday next. L. J., XIII. 555. *In extenso.* [Appended to next paper. The MS. Min. of date state that on the House taking into consideration what time to appoint for judgment against the Earl, Saturday next was proposed "for hearing the counsel of the Earl of Danby," whereupon the House ordered as above.]

(*g.*) 8 May 1679. Petition of Thomas, Earl of Danby, praying that, as the order of the 6th inst. (annexed to the petition) does not expressly appoint Petitioner's Counsel to be heard for the defence of his Plea, and the said Counsel doubt what is to be done by them, the Order may be explained, and Petitioner's Counsel ordered to attend for defence of his Plea. L. J., XIII. 557. [It was ordered that the words "by his Counsel" be added to the Order. MS. Min. The MS. Min. of 9 May have as follows: "Upon consideration of what is to be done in the business of E. Danby. . . . If the prisoner appear and desire to be heard in point of law, and the House of Commons should not appear, Question what to do. This to be resolved upon debate in the House if it should so happen. The only thing agreed is to adjourn to the House upon any incident that may happen."]

(*h.*) 10 May 1679. Petition of Thomas, Earl of Danby, stating that his Counsel refuse to appear for him, in consequence of a vote of the House of Commons passed yesterday (C. J., IX. 618), and praying relief and directions from their Lordships. L. J., XIII. 564.

(*i.*) 22 May 1679. Draft order giving leave to the Earl of Plymouth to visit the Earl of Danby in the Tower. L. J., XIII. 583. *In extenso.*

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* The Lords Journals begin the proceedings of this day with a message from the Commons. The MS. Min. make them begin with a report from the Earl of Craven on Lady Powis' case of Privilege, and state that the House, after that, had gone into Committee on the Bill for disbanding the Army, and had begun to read the Bill when the message referred to arrived, and caused the House to be resumed.

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(*k.*) 24 March 1680–1. Petition of Thomas, Earl of Danby, prisoner in the Tower, praying to be admitted to bail. L. J., XIII. 752. *In extenso.* [The consideration of this Petition was prevented by the Dissolution on the 28th.]

(*l.*) 12 May 1685. Copy of bail-piece on a Habeas Corpus for Thomas, Earl of Danby, to appear on the first day of the next Session of Parliament. The Sureties, viz., Chas. D. Somerset, Christopher, D. Albemarle, Aubrey, E. Oxford, and Philip, E. Chesterfield, are bound in 5,000*l.*, and the party in 10,000*l.* Dated 12 Feb. 1883–4. Received this day, together with one for E. Tyrone (*see* No. **317**). *See* L. J., XIV., 7, 24, and Shower's Reports, ii. 335.

(*m.*) 16 May 1685. Writ of Certiorari to bring up Recognizance of E. Danby, with return of C. J. Jeffreys thereto, and Bail-piece appended (*see* preceding paper). Dated this day. *See* L. J., XIV. 7, 24.

81. Dec. 27. Papists in London (L. Dunbar).—Draft order allowing Lord Dunbar to come to London and remain with his wife during her sickness. L. J., XIII. 441. *In extenso.*

82. Dec. 28. Popish Plot (Combe).—Draft order requiring Capt. Scudamore to deliver up to the Bishop of Hereford certain papers, &c., found at Combe, in Herefordshire. L. J., XIII. 444. *In extenso.* [A letter was produced to the Committee on 26 Dec. by Capt. Arnold, giving an account of a College of Jesuits at Combe, and of ten horse loads of books found there. This letter was given to the Chairman (E. Clarendon) to report, together with a motion for the above order (Exam. Book 26 Dec.). The letter,' which was from Scudamore to Arnold, was read in the House this day. MS. Min. of date.]

83. Dec. 28. Popish Plot (Pugh).—Draft order requiring Charles Price, J.P. for Monmouthshire, to send to the Committee a box of writings taken from one Pugh, a Popish priest. L. J., XIII. 444. *In extenso.* [The Committee were informed on the 26th by Capt. Arnold, that he had apprehended Pugh, and seized with him a box of writings concerning charitable uses to Papists, etc. which were in Mr. Price's hands, who refused to part with them. The Committee then agreed to move the House for the above order (Exam. Book 26 Dec.)].

84. Dec. 28. Popish Plot (Hall).—Draft order directing the papers of John Hall, a Popish priest, to be sent to the Committee. L. J., XIII. 443. *In extenso.* [Capt. Arnold informed the Committee on the 26th that his officer had seized a box with writings and £70 from a man who said they belonged to Hall. The Committee then agreed to move the House for the above order. Exam. Book 26 Dec.]

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85. Jan. 25. Writs of Summons, dated this day, to the following Lords, who, being Recusants, did not sit in this Parliament, viz.:

(*a*) James Tutchett, de Audley, Ch^r^.

(*b*) Robert Cary, de Hunsdon, Ch^r^.

(*c*) William Stourton de Stourton, Ch^r^.

See also No. **222.**

86. March 6. King's Speech.—Copy of King's speech on opening Parliament this day. L. J., XIII. 449. *In extenso.*

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87. $\frac{\text{1678–9. March 6.}}{\text{1679. May 17.}}$ Test Roll. Roll of Signatures of Peers to the Declaration in the Test Act of 1678 between 6 March 1678-9 and 17 May 1679. *Parchment Collection.*

88. $\frac{\text{1678–9. March 6.}}{\text{1679. May 17.}}$ Oaths Roll. Roll of Peers who took the Oaths according to the Test Act of 1878, between 6 March 1678–9 and 17 May 1679. *Parchment Collection.*

89. March $\frac{\text{6.}}{\text{11.}}$ Writs of Summons, dated 25 Jan., to the following Lords, who took the Oaths on 6 March (L. J., XIII. 452–3), viz. :—

(*a*) Heneage Finch, de Daventry Ch^r^, Chancellor of England.
(*b*) Thomas Butler de Moore Park, Ch^r^, son and heir apparent of James D. Ormond, L. Steward of the Household.
(*c*) John Freschevile de Staveley, Ch^r^.
(*d*) Charles Cornwallis de Eye, Ch^r^.
(*e*) Charles Henry Wotton de Wotton, Ch^r^.
(*f*) Thomas Colepepper de Thoresway, Ch^r^.
(*g*) Richard Vaughan, Ch^r^.
(*h*) Ford Grey de Warke, Ch^r^.
(*i*) James Chandos de Sudeley, Ch^r^.
(*k*) Charles North Grey de Rolleston, Ch^r^.
(*l*) Ralph Eure, Ch^r^.
(*m*) George Berkley de Berkley, Ch^r^.
(*n*) Peter (Mew) L. Bp. Bath & Wells. (Received 24 Feb.)
(*o*) Peter (Gunning) L. Bp. Ely.
(*p*) Seth (Ward) L. Bp. Salisbury.
(*q*) Nathaniel (Crew) L. Bp. Durham.
(*r*) Henry (Compton) L. Bp. London.
(*s*) Francis V. Newport.
(*t*) George V. Halifax.
(*u*) Arthur E. Essex.
(*v*) John E. Rochester.
(*w*) Nicholas E. Scarsdale.
(*x*) Robert E. Sunderland.
(*y*) Thomas E. Stamford.
(*z*) Thomas E. Rivers.
(*aa*) James E. Suffolk.
(*bb*) Henry M. Worcester.
(*cc*) Charles M. Winchester.
(*dd*) James D. Monmouth, "Exercituum nostrorum Generalis."
(*ee*) Same to Charles, E. Westmorland, who took the Oaths on 8 March. L. J., XIII., 454.
(*ff*) Same to Robert E. Manchester, who took the Oaths on 11 March. L. J., XIII. 454.

90. March 11. Sir E. Turnor *v.* Turnor.—Petition and appeal of Sir Edward Turnor, Knt., and Ann Gardiner, widow, formerly the wife of William Mole, Esq. Petitioner Turnor's father, Sir Edward Turnor, late Chief Baron, had sold an annuity of 300*l.* settled on his wife Dame Mary Turnor, daughter and heir of Henry Ewer, upon her former marriage with Wm. Ashton, son and heir of Sir Wm. Ashton, Knt., and charged on the lands of Tingry and Milton, in Bedfordshire, to William Mole for valuable consideration; but, on Sir Edward's death, his widow obtained a Decree in Chancery for return of the Deeds, on

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the ground that the annuity could not have been sold. Petitioners appeal against the Decree. L. J., XIII. 457. [MS. Min., 22 Nov. 1680, give the arguments at Bar of the counsel Sir Jno. Churchill, Mr. Porter, Mr. Hutchins, Mr. Rawlinson, Mr. Philips, and the Solicitor-General, and the opinions of the Judges, Sir Job Charlton, Baron Weston, Baron Gregory, Justice Raymond, Judge Dolben, Baron Windham, Justice Atkins, L. Chief Baron Montagu, and L. C. J. North, which were divided.]

Annexed:—

(*a.*) 18 March. Petition of Dame Mary Turnor for 10 days further time to answer. L. J., XIII. 465.

(*b.*) 28 March 1679. Answer of Dame Mary Turnor. The Decree was right, and the purchaser had taken collateral security, having full notice of the Trust for the Respondent.

(*c.*) 11 Nov. 1680. Petition of Respondent for an early day for hearing. L. J., XIII. 661.

(*d.*) 11 Nov. 1680. Copy of Order of this day, appended to following paper. L. J., XIII. 661. *In extenso.*

(*e.*) 16 Nov. 1680. Petition of same. Appellants avoid personal service of the Order for hearing. Prays that service on their Solicitors and Clerk in Chancery may be sufficient. L. J., XIII. 673.

(*f.*) 19 Nov. 1680. Petition of Sir Edward Turnor, Knt., praying for ten days longer time for hearing. L. J., XIII. 677.

(*g.*) 19 Nov. 1680. Petition of Respondent, praying that the day fixed for hearing may stand. L. J., XIII. 677.

(*h.*) 16 Nov. 1689. Petition of same, recounting the particulars of the cause, and praying that the judgment of the House of 22nd Nov. 1680 might be set aside. Certified by W. Williams and W. Pulteney. L. J., XIV. 344.

(*i.*) 2 Dec. 1689. Petition of Appellants in answer to preceding. Respondent has acquiesced in the judgment for nine years, and suggests nothing new. Pray her Petition may be dismissed, and the judgment confirmed. L. J., XIV. 358. *See also* MS. Min. of date.

91. March 11. Appeals and Impeachments.—Draft order of reference to Committee for Privileges to consider whether Petitions of Appeal, presented in the last Parliament, are still in force to be proceeded with. L. J., XIII. 457. *In extenso.* [The question of impeachments was referred, at first, to the Committee for Examinations into the Plot (L. J. XIII. 456). The MS. Book of their proceedings is wanting, but it appears from the Journal (L. J., XIII. 458) that the House, on their report, ordered the matter to be referred to the Committee for Privileges, who reported on the two questions on the 18th. *See* next paper.]

Annexed:—

(*a.*) 18 March. Report of the Committee for Privileges on the question of Appeals and Impeachments. L. J., XIII. 464. *In extenso.* [The Committee first divided on the question whether they were sufficiently empowered to give their opinions to the House concerning the impeachments brought up from the Commons in the last Parliament. This was resolved in the affirmative by 20 votes to 10. The question was then put as to the effect of the dissolution on the impeachments, and it was resolved as in the report by 20 votes to 6. Priv. Book 17 March.]

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(*b.*) 19 March. Draft entry of proceedings and resolution of this day on report from the Committee for Privileges. L. J., XIII. 466. *In extenso.*

92. March 13. Newton *v.* Bynns. Copy of Writ of Error, &c., brought up this day. L. J., XIII. 459.

Annexed:—

(*a.*) 28 March 1679. Petition of Thos. Newton, Esq. His Counsel, Sir Creswell Levinz and Mr. John Holt, are on circuit. Prays that the time to argue errors may be enlarged till they return. [Read this day, and upon debate of the nature of delays upon judgments in *ejectione firmæ*, ordered that the day appointed stand, and nothing be done upon the petition. MS. Min. of date. No entry in L. J.]

(*b.*) 2 April 1679. Tenor of judgment of the House this day. L. J., XIII. 495. [*Serjeant Weston* was Counsel for Plaintiff, and *Mr. North* for Defendant. MS. Min.

93. March 15. Sessions of Parliament.—Paper indorsed "Concerning Prorogations and Sessions of Parliament." Quotes Close Roll and Parliament Roll of 1 Edw. IV. to show that writs were issued for a Parliament to meet on 4th Nov. and not before, which was styled the first Parliament of that King. The first mention of a "Session" of Parliament is in 21 Hen. VIII., and becomes frequent afterwards. [On this day and on the 17th the House, on the motion to name the Committee for Privileges, debated whether the last prorogation made a Session. L. J., XIII. 461, 462, and MS. Min. of dates.]

94. March 15. Sir G. Carteret.—Writ of Attendance in Parliament to George Carterett, Kn^t^ and Bart., Vice Chamberlain of the Household. [Sir George had died on 14 Jan. previous.]

95. March 18. Popish Recusants (Discovery and Conviction) Bill.—Amended draft of an Act for the better discovery and more speedy conviction of Popish Recusants. This draft, in its original state, is a copy of the amended Bill of 25 Nov. 1678.* (*See* No. **29.**) [Read 1^a^ this day. L. J., XIII. 464. Dropped in the Commons after commitment on 4 April. C. J., IX. 584.]

Annexed:—

(*a.*) 25 March. Amendments made in Committee of the whole House, and reported this day. (MS. Min., March 20, 25.) The date fixed for the Act to come into force is 24 June, 1679, and the Declaration, as evidence of conformity, must be subscribed at General or Quarter Sessions, instead of only before some Justice. Disabilities are added to the penalties to which Recusants are declared liable.† The other amendments, excepting the two provisoes below, are not of any importance.

(*b.*) 25 March. Proviso A. empowering the Court to excuse persons unable from sickness or other infirmity to appear at Sessions, and to allow them further time until the next General or Quarter Sessions for their appearance. [Ordered on the 20th to be prepared by Chief Justice North, and reported this day. L. J., XIII. 478. MS. Min. of dates.]

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* Another Bill, with the same title, was introduced in the Lords during the short session, beginning 6 March 1678–9, but dropped after a second reading, in consequence of the prorogation on the 13th. L. J., XIII. 456, 458. This Bill is not among the records.

† This was borrowed from Clause A. (Annex *b.*) prepared by C. J. North.

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(*c.*) 25 March. Proviso B. (amended). Exempts from this and other Acts against Popish Recusants (except so far as regards the Oath of Allegiance), the following persons who, although Papists, were yet very instrumental in the preservation of the King's person after the flight at Worcester, and have thereby merited, as a reward of their loyalty, to be distinguished from others of their religion, viz.:—Mr. Charles Gifford, Francis Yates and his wife, William, John, Richard, Humphrey, and George Penderell, Mr. Thomas Whitgrave, Colonel William Carlos, Mr. Francis Reynold, Mr. John Huddleston, Mr. Francis Wolfe, of Madeley, George Middleton, of , in the county of Sussex, and Mervin Touchet, Esq. [Offered in C. W. H. on the 20th by the Earl of Essex, and reported this day, after being amended by adding the last two names. L.J., XIII. 478; M.S. Min. of dates. For Touchet and Wolfe, *see also* L. J., XIII. 513, 527.]

96. March 18. Papists in London. Order of the House directing the Chief Justice of the Common Pleas and Baron Thurland to consider and report on the state of the laws as to clearing London from Popish families. L. J., XIII. 465. *In extenso.*

Annexed:—

(*a.*) 25 March. Report of the two judges, above-mentioned, delivered this day. L. J., XIII. 477. *In extenso.* *See also* No. **119.**

97. March 18. Lady Abergavenny's Privilege.—Petition of Elizabeth, Dowager [Lady] Abergeveny, complaining of having been presented, with her servants, for Recusancy, at a time within the Privilege of Parliament, and praying that the presentment may be discharged. L. J., XIII. 464. [For proceedings of the Committee for Privileges with regard to her servants, *see* Priv. Book, 31 March 1679.]

98. March 19. Convocation (Oaths) Bill.—Amended * draft of an Act to disable any person from sitting in [either House] *any of the Houses* of Convocation till he hath taken the Oaths and made and subscribed the Declaration therein contained. For the safety of His Majesty's Royal person and Government, the extirpation and prevention of Popery within His Majesty's dominions, and the preservation of the religion by law established in the Church of England, the Bill enacts as follows:—"That from and after the *fourth* day of *April* that shall be in the year of our Lord God *one thousand six hundred and seventy-nine*, no person [that now is or hereafter shall be] *being a* member of *either of the* Upper [or Lower] Houses of the Convocations of the clergy of the Provinces of Canterbury [and] *or* York [or either of them] shall vote or make his Proxy [in either of the said Houses of Convocation respectively] or sit there during any debate [in either of the said Houses], *nor any person being a member of either of the Lower Houses of the said Convocations shall vote or make his proxy or sit there during any debate*, after their Prolocutor is chosen *and presented* until such Member [or Members] shall from time to time respectively and in manner following, first take the several Oaths of Allegiance and Supremacy and make [subscribe] and audibly repeat *and subscribe* this Declaration following."—Here follows the Declaration in the Test Act of 1678.—"Which said Oaths and Declaration shall be in every Convocation now to come solemnly and publicly taken, made

* The additions are shown below by italics, the omissions by square brackets.

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and subscribed betwixt the hours of nine *and twelve* in the morning [and four in the afternoon] by every such Member of the *respective* Upper Houses of Convocation at the table in the middle of the said Houses before he take his place [in the said House] *there*, [and whilst a full House is there with their President] *the President being* in his place, and by every member of the *respective* Lower Houses at the Table in the middle of the said *respective* Houses whilst [a full] *each respective* House is there [duly] sitting with their Prolocutor in his chair, and that the same be done in [either] *the said* Houses in such like order or method as each House is called over by respectively. And be it further enacted by the Authority aforesaid, That if any person that now is or hereafter shall be a Member of the Upper or Lower House of Convocation of the Clergy *of either Province* as aforesaid, shall presume to do anything contrary to this Act, or shall offend in any of the cases aforesaid, That then every such Member so offending shall from thenceforth be deemed and adjudged a Popish Recusant Convict to all intents and purposes whatsoever, and shall forfeit and suffer as a Popish Recusant Convict and shall be disabled to hold, execute, enjoy, or receive any Ecclesiastical Benefice, Office, Place of profit or trust or Promotion whatsoever in the Church of England, or to sit or vote in [either] *any of the* Houses of Convocation or make a Proxy [in the Upper House] *there*, or to sue or use any Action, Bill, Plaint or Information in course of law, or to prosecute any suit in any Court of Equity, or to be guardian of any child, or executor or administrator of any person, or capable of any legacy or deed of gift, and shall forfeit for his wilful offending against this Act the sum of 500*l.* to be recovered and received by him or them that shall sue for the same, and to be prosecuted by any Action of Debt, Suit, Bill, Plaint, or Information in any of his Majesty's Courts at Westminster, wherein no Essoign, Protection or Wager of Law shall lie." [Read 1ª this day, having been ordered to be prepared by the Bishops on the 12th. L. J., XIII. 465, 459. Dropped in the Commons. *See also* No. **121.**]

(*a.*) Minutes of Committee on the Bill for March 21, 22, 24, 25, 26. The Bishop of Rochester appears as Chairman on the 22nd, and the Bishop of Bath and Wells on the other days. The amendments made are noticed above. From these Minutes it appears that on the 21st, clauses concerning the clergy and Universities (*see* L. J., XIII. 467), and other supplementary clauses debated were ordered to be prepared, the House to be moved to appoint a Judge to assist them. The MS. Min. of date add that the House appoint the L. C. Justice of the Common Pleas for this purpose. On 22 March the Committee, after considering the clause in the Act of Uniformity concerning heads of Houses and other ecclesiastical persons, ordered "somewhat of that kind to be added to the Bill." On 24 March the Lord Chief Justice reported what he had provided according to his instructions. On 26 March the Committee added two provisoes to the end of the Bill. The first of these is given on this paper of Minutes, and is as follows: "Provided nevertheless that if any offender contrary to this Act shall at any time after such offence take the said oaths and make and subscribe the said Declaration in his Majesty's Court of Chancery and in the manner aforesaid, every such person shall be from thenceforth freed and discharged of and from all seizures, penalties and losses which he might otherwise sustain or bear for or by reason of being a Popish Recussant convict by virtue of this Act, and shall be freed

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and discharged from all disabilities and incapacities incurred thereby, so as such freedom and discharge extend not to restore any such person to any office or place filled and supplied upon avoidance by this Act, nor to any other office till after the expiration of one year from the taking the said oaths and making and subscribing the Declaration aforesaid, nor to make void or at any time discharge the said forfeiture of five hundred pounds incurred as aforesaid."—The second proviso is given on a separate paper, Annex (*b*).

(*b*.) 26 March. Draft proviso as follows, "Provided also, That in regard the Members of the Upper House of Convocation of Province of York are obliged to attendance in the House of Peers during the time of Parliament, it shall and may be lawful for any member of the Upper House of Convocation of the Province of York to take the said Oaths and make and subscribe the said Declaration in manner aforesaid in the Upper House of Convocation for the Province of Canterbury, and a Certificate in writing under the hand and seal of the President thereof attested under the hands of any three members of the said Upper House in whose presence the said Oath and Declaration were so taken, made and subscribed, being registered in the Upper House of the Convocation for the Province of York, shall be as available to all intents and purposes as if the same had been done in the Upper House of the province of York. [Added in Committee this day.]

99. March 20. Bp. Bristol.—Writ of Summons, dated 26 Feb., to William (Gulston) L. Bp. of Bristol, who took the Oaths this day. L. J., XIII. 467.

100. March 20. Lady Cox.—Certificate of Wm. Pulteney that Eliz. Mander and John Decus made oath before him that day that they were servants of Dame Joyce Cockes. *Endorsed*, "The Lady Cocks's servants' names to be put in her order." [*See* L.J., XIII. 465 and MS. Min. 20 March].

101. March 20. Papists in London.—Petition of Garret Johnson, Cabinet-maker in ordinary to Her Majesty, praying leave to stay in town for six months, with his wife and family, having to complete some work for divers persons of quality, and also dealing in ships at sea for himself, and as a factor in some affairs here for the Duke of Holstein. L.J., XIII. 469. The petition is unsigned.

102. March 22. L. Mountagu of Boughton.—Certificate of John Courtman, physician for many years to Lord Mountagu of Boughton, that his Lordship was too ill to be able to come without danger to London. *See* L.J., XIII. 471. [Dated 18 March, and produced by Wellesborne Sill and Robert Dixon at the Bar this day. MS. Min.]

103. March 24. E. Danby's Disabling Bill.—Amended* Draft of an Act for *banishing and* disenabling Thomas, Earl of Danby. Whereas Thomas, Earl of Danby, hath been impeached by the Commons in Parliament assembled, of Treason and other high misdemeanours [Nevertheless the King's Most Excellent Majesty, out of his Gracious disposition to clemency, is pleased that it shall be enacted, And be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the

* The additions are shown below by italics, the omissions by square brackets.

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Lords Spiritual and Temporal and Commons in this present Parliament assembled, And by the authority of the same, That the said Thomas, Earl of Danby shall for ever be disabled from sitting, debating, or voting as a Peer in Parliament, or from having, holding, or enjoying any office or place of public trust, or any other public employment whatsoever] *and hath knowingly withdrawn himself, and is fled, whereby justice cannot be done upon him, according to his demerit; Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in Parliament assembled, and by authority of the same, That the said Thomas, Earl of Danby shall and do suffer perpetual exile, and be for ever banished this Realm and all other his Majesty's Dominions, and shall be for ever disabled from having, holding, or enjoying any office or place of public trust, or any other public employment whatsoever, And Be it further enacted, by the authority aforesaid, That it shall be, and be taken to be Treason for the said Earl at any time to return into or be found in England or any other his Majesty's Dominions after the first day of May, according to the account of England, one thousand six hundred seventy and nine; and that in case the said Earl shall at any time return into or be found in England or any other his Majesty's dominions after the said first day of May, that the said Earl shall suffer the pains and penalties of Treason, and be made incapable of any pardon from the King's Majesty, his heirs and successors, but by Act of Parliament; And that all correspondency with the said Earl, except it be of his wife and* * *children, or such persons as shall be licensed by the King in Council concerning his estate and domestic affairs only after the said first day of May, shall be and be taken to be of the same nature as correspondency with a Traitor; and the offender therein shall suffer such pains and penalties as by the laws of this Realm are to be inflicted upon such persons as keep correspondence with Traitors; And that all letters sent to the said Earl be showed to one of the Principal Secretaries of State, before they be sent, and that all letters which shall be received from the said Earl be likewise showed to one of the Principal Secretaries within ten days next after such receipt, under the penalties aforesaid.* And be it further enacted, That all Letters Patents of Creation to any dignity, and all grants, gifts, and leases made or to be made by the King's Majesty, his heirs or successors, bearing date upon or after the [sixth day of March] *three and twentieth day of December*, in the year of our Lord 1678, to the said Thomas, Earl of Danby, his heirs, Executors, or Administrators, or any of them, or to any person or persons in trust for or to the use and benefit of the said Thomas, Earl of Danby, his heirs, Executors, or Administrators, shall be void to all intents and purposes. [And be it further enacted by the authority aforesaid, That it shall be taken and adjudged to be Treason for him the said Thomas Earl of Danby at any time after the (blank) willingly to come into or remain in the presence of the King's Majesty, his heirs or successors; And that in case the said Earl shall from and after the said (blank) willingly come into or remain in such presence, That then he shall suffer the pains and penalties of high Treason, and be made incapable of any pardon from the King's Majesty, his heirs or successors, unless by Act of Parliament, wherein the said Earl shall be expressly named] *Provided always that if the said Earl of Danby shall on or before the first day May next render himself unto the Constable*

* The words "wife and" were added on report. MS. Min., 26 March.

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or Lieutenant of the Tower of London for the time being (who is hereby required to detain him in safe custody) in order to his Trial, which shall be in Parliament, That then and in such case all and every the penalties and disabilities by this Act imposed upon the said Earl of Danby shall be utterly void and of no effect, anything herein before contained to the contrary notwithstanding. [Read 1ª this day, on report from the Committee appointed to prepare the Bill. L. J., XIII. 471, 474. The minutes of this Committee are wanting. Before committing the Bill, it was debated whether the Earl "shall or ought to be heard first" (MS. Min. 25 March). The proceedings on the 26th March are thus recorded. It being proposed to go into a Committee upon the Bill, upon consideration hereof, and whether the Committee shall add to, or change, the Bill for a Bill of banishment, Question, Whether the Committee shall have power to add any other clauses as they shall think fit to this Bill? Not put. The Committee have power to mend the Bill as they think fit. The House then adjourned into a Committee, E. Essex in the chair. It being proposed to retain the first three lines, and leave out the rest, and instead of the words in the Bill, add the words, *mutatis mutandis*, for banishing the E. Clarendon, *Question:* Whether the E. of Danby shall have a further summons to appear, before the Committee proceed on the Bill? Not put. *Question:* Whether the Committee shall proceed further on this Bill, without summoning the person concerned? Resolved in the affirmative. The clauses of the Act 20 Car. II. c. 2. were then substituted, *mutatis mutandis*, as shown above, and omitting the alternative of surrender to "one of his Majesty's Principal Secretaries of State" in § ii. The Bill was passed the afternoon of the same day, "after some debate" (MS. Min.), and then sent to the Commons (L. J., XIII. 481), who rejected it on 27th March on the second reading (C. J., IX. 578). *See also* Nos. **74, 80, 120, 147.**]

104. March 24. Papists in London (Withering).—Petition of Mary Withering, widow, praying for leave to stay in town until she recovers from her sickness. L. J., XIII. 475.

Annexed:—

(*a.*) 24 March. Certificate and affidavit of Tho. Witherley, Med. Reg. that Mary Withering has long been ill, and has come to town to be near her physician.

(*b.*) 17 Jan. Affidavit of Tho. Burden, apothecary, that Mary Withering lodged at his house in the Strand about six months before the late Proclamation, and that she was very ill when she left, and is of a weak and sickly constitution.

105. March 24. Popish Plot (French Pamphlet).—Printed pamphlet in French, entitled "Lettre escrite de Mons à un Amy à Paris, touchant la Conspiration d'Angleterre, qui se plut dire un *Factum*, pour les Catholiques persecutés." *Dated* Mons, 1 Mars 1679. Addressed to "Monsieur" by "votre tres-humble et tres-obeissant Serviteur." The following is an abbreviated translation of its contents. The writer says that he takes up his pen in favour of the Catholics, simply because he believes them innocent of the Plot. He detests crimes of this kind, whoever attempts them, and he has heard that the General of the Jesuits himself, on being told of the alleged Plot, and that his co-religionists were accused, said, "Si se miscuerint illiusmodi rebus, dignum luant supplicium." The question is not one of excusing crime, if committed, but simply whether it is true that the English Catholics are guilty of having conspired the death of the King, and the subversion of the State. As for the main informer Oates, he is the son of a silk

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weaver, who, during the Civil War in England left his trade and became an Anabaptist preacher. It is doubtful whether he was ever baptised; he says he was so when 17 years old. He was a minister for some time at Hastings, until, having accused the Mayor there of a serious crime, and being convicted of perjury, as the local records prove, he was sent to prison, but managed to escape. His charges fall under three heads, namely, what was done at Madrid with Duke John of Austria, at Paris with P. de la Chaise, the King's confessor, and at London in the Congregation of the Jesuits. As to the first head, Oates' statement before the Council and the House of Commons, that he had been employed by the Jesuits at Madrid in 1677 to treat with Duke John, concerning an attempt on the King's life, is utterly false, and the King was sharp enough to detect its falsehood, by asking Oates whether Duke John was tall or short, when Oates gave a description of him which made the King exclaim "I see well, you have never seen him." Oates never was at Madrid, at least not since he knew any English Jesuits. He knew none before April 1677, and at the end of that month, a letter of his shows that he embarked at the Downs for Bilbao, where, as some merchants there attest, he arrived on the 16th May from London in the ship called *The Merchant of Biscay*. At Bilbao he stayed about ten days, and thence went straight to Valladolid with one Espinosa, a muleteer, who swears to having taken him to the English College at Valladolid at the beginning of June. This evidence has been duly taken before Asturiacaza, a Notary Royal, and the originals are at the English College at St. Omer. It is clear therefore that Oates never went to Madrid on his way to Valladolid. The Rector and Procurator of the College at Valladolid swear that he arrived there the 1st of June 1677, and remained there without intermission till the 30th of October, when he was turned out of the College. He was therefore not at Madrid in July, 1677. The evidence of Sandoval, the muleteer who took Oates from Valladolid to Bilbao, shows that Oates left Valladolid on 30 Oct. 1677 and arrived at Bilbao on 3 Nov. The merchants at Bilbao, above mentioned, swear that Oates, after his return from Valladolid, remained at Bilbao for 8 or 10 days, without leaving the town, and then embarked on board the ship called *The Merchant of Bilbao*, laden for Topsam near Exeter. This journal of his movements in Spain shows that he never was at Madrid at all. As to the second head, Oates was clever hypocrite enough to obtain from the Father Superior of the English Jesuits an order of admission to the English College at St. Omer. With this order he left London on 6 December, New Style, and arrived at St. Omer on the 10th. Here begins the second part of his falsehoods. At Coleman's trial, he said that he carried a letter from Coleman to De la Chaise, and that in this letter Coleman expressed his thanks for the 10,000*l.* advanced for the propagation of the Faith, and assured De la Chaise that it would be employed solely for the end intended, namely, the murder of the King. Oates added that he had given this letter to Father De la Chaise, and had carried his answer to St. Omer, from whence it was sent to London. If this statement be true, therefore, Oates must have gone from St. Omer to Paris. Now it is certain that from the 10th December, 1677, when he arrived at St. Omer, till the 23rd June 1678, when he was sent away from there, he never left the College except for two nights, when he slept about two leagues from St. Omer, at Watten. This is proved by the deposition of 14 inmates of the College, given at the end of this letter. As to the third head, Oates says that in April O.S. (*i.e.* May N.S.) 1678 the Jesuits had a congregation in London; that he was there; that after they had chosen a Procurator to go to Rome, they split up into small meetings, at which

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it was arranged that Pickering and Grove should assassinate the King, Grove to have 1,500*l.* and Pickering 30,000 masses for so doing; and that by virtue of a particular patent from the General of the Jesuits, he was present at all these meetings. He said, moreover, that he had seen several Commissions from the General of the Jesuits, creating (by virtue of a Papal brief) new officers of the Crown and new bishops, to wit, Coleman, Secretary of State, Lord Arundel, Chancellor, Lord Bellasis, Commander-in-Chief, and the Provincial of the Jesuits, Archbishop of Canterbury, &c. To show the falsity of all this, it is only necessary to bear in mind that he did not leave St. Omer till the 23rd of June, and that he could not therefore have been present at meetings of the Jesuits held at London at the end of April and beginning of May. Other statements of Oates have been similarly shown to be false. Thus he accused one Mark Preston of being a priest and Jesuit, and swore that he had often confessed to him; and Preston was sent to prison though he proved clearly that he had a wife and children, and that he lived at London, and was well known to his neighbours. He swore also that he had given one of these pretended commissions to one Ratcliffe, in the garden of the Spanish Ambassador in London, though it was proved by a Member of Parliament that that gentleman had not been in town for four years. He swore that he gave another commission to Mr. Pierson, the secretary of E. Powys, though Pierson was never in London from August 1677 to October 1678. He accused the Queen of having consented to the murder of the King, though the Journal of the House showed that in a previous examination he had declared that he had nothing more to say against any person of importance. It is said that the Duke of Buckingham then exclaimed "This rascal (Oates) will spoil our business. He can't govern himself: it is not time yet to bring the Queen forward." Oates accused Coleman of having done this and that in his presence, though he had confessed before the Council that he did not know him. He accused Father Ireland of things said and done in London at a time when more than 30 witnesses, mostly Protestants, swore that he was more than 40 miles from town. And yet, on the evidence of this proved perjurer, all the kingdom is in a state of panic, guards are stationed everywhere, the Catholics are driven from London and five miles round, the Catholic peers are deprived of their right to sit in Parliament, and thrown into prison; the houses of Catholics are ransacked; and priests and ecclesiastics of every kind are put into dungeons, and loaded with chains, and some already have been executed for high treason, on Oates' testimony alone. Laws are being passed against the Catholics of unexampled severity, as if all that the cruelty of Henry VIII., the malice of the Protector in the time of Edward VI., and the cunning of Elizabeth had availed to contrive against our religion did not satisfy their hatred. They tell me that Oates is to have a statue at the Mansion House. Do write the inscription. I have given you sufficient materials. The more ample narrative, which will appear shortly, will supply the varnish. In England two witnesses are necessary to establish a charge of high treason. Hence the appearance of a second informer, named Bedloe, the son of a village fiddler, and a thief, rogue and debauchee. The famous Guzman is nothing to him. He has often changed his name; at St. Omer it was Brudenell, at Douay, Cambray, Paris and Rouen, Lord Cornwallis, and in Spain, Lord Gerard. Oates swore that he did not know Bedloe, when they met in London, but there is a letter of Oates, at St. Omer, in which he acknowledges his acquaintance and complains of his having robbed him while he was gone to get him something to eat. Bedloe finds the occupation profitable, gaining much and risking nothing.

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Coleman and Father Ireland were put to death on their false testimony, the judge saying he had no time to listen to the witnesses for the accused. The third informer is Prance, but he has so often sworn for and against the same thing, that one cannot, in reason, attach any weight to his statements. The last is Dugdale, formerly bailiff to a Mr. Aston, a Catholic gentleman, whom he robbed, to pay for his losses by gambling and debauchery, and was imprisoned at Stafford in November 1678. At length, tired of being in prison, he turned informer and the Speaker paid his debts. The accounts of the trials, published by our persecutors themselves, suffice to show the bad faith of the witnesses, the partiality of the judges, and the injustice of the sentences. Scroggs, the Chief Justice, especially, to divert attention from what makes for the accused, jeers at them and makes them objects of ridicule. The whole Plot is chimerical and trumped up. Why then do the people believe in it? The answer is easy. Sacramentum Regis abscondere, bonum est. The mob, as you know, are carried away by the first idea that enters their mind when it accords with their fears, whether well or ill founded. The clamour of the clergy and hatred of the Catholics inclined them to believe anything of the latter. Nothing was wanted to fan the flame but a shameless, flinty-hearted, brazen-faced liar, who might defy the stings of conscience within and the scorn of honest men without. And then all defence was precluded by making all who would do justice to the pretended criminals accomplices in their crime. Nothing, as you know, has been more hurtful to the interests of the State than the suspicion, maliciously disseminated, of a plot to change the Religion and Government. It was necessary to uproot this suspicion by overwhelming proof to the contrary. Imagine ministers in fear of being ousted; the people in fear of losing their freedom; and both hating the Catholics, as promoting what they both feared so much; imagine the Judges, having much to lose in saving the accused, and nothing in condemning them; imagine all this, and you have got at the secret in a great measure. The writer ends by excusing his bad French, on the ground that he is a stranger. After the letter follows "*Copie d'une des attestations de Messieurs les Mayeur et Eschevins de la Ville de S. Omer*," stating that Christoval Touneley, Daniel Gifford, Francois Dermise, William Parry, and Thomas Beveridge, all English-born except Dermise, a native of Flanders, and residing at the College of Jesuits at St. Omer, affirm, on oath, in answer to interrogatories put on behalf of Claude Grebert, the agent of the English lords imprisoned in the Tower, that they knew Titus Oates well; that he was a fellow inmate of the College, and attended the School of Rhetoric from 10 December 1677, N.S.; that he stayed there till the 23 June following; and that, to their knowledge, he never left the College during that period, except to go in January for two days to Wattens, distant two miles from St. Omer; that they recollect, in particular, that he was present at the College on the 1st, 2nd, 3rd, 4th, and 5th of May, 1678, N.S., and that they noticed that on the 5th of May he was present, when Mr. Killenbeck left them to go to England. This testimony given at the request of the said Grebert, on 14 January 1679. *Signed* I. Hanon. There are two other similar attestations which can be produced. [Reported this day by E. Shaftesbury from the Committee of Examinations. The Committee were ordered to examine how the English pamphlet to the same effect came to be published. MS. Min., 24 March; L. J., XIII. 474. See also No. 5 Annex (*e*). The Pamphlet is referred to in Ralph i. 434.]

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106. March 25. Popish Plot. Commons' Resolutions of 24th inst., declaring the reality of the Plot, and desiring the Lords' concurrence (C. J., IX. 574. *In extenso*), with the Lords' Amendments to the first Resolution. L. J., XIII. 476. *In extenso.*

107. March 25. Popish Plot. (Prosser, Hemings, Cross, Craven).—Report of Sir G. Charnock, Serjeant-at-Arms. He has done his best to take Prosser into custody, as directed (L. J., XIII. 468), but he absconds himself. Has learned that one Redwood and one Glascock are his bail. He advised Redwood to bring Prosser forth, but finds him unwilling to do so, and without their Lordships' order he has no power to force him. [Benedict Prosser, a silversmith, was accused by Prance as having been hired, together with Adamson and Bradshaw, by Staley and Maddison to kill the Earl of Shaftesbury (L. J., XIII. 467), his deposition before the Committee having been reported by the Bishop of Bath and Wells (M.S. Min. 19 March). Adamson and Bradshaw were brought to the Bar on 24 March, and being charged by the Lord Chancellor out of Prance's deposition, they denied the charge. Adamson owned being with Prosser at the White Posts in Vere Street. Bradshaw said he knew Messenger (whom Prance had accused of a design to kill the King), but denied any discourse with him. They were then committed to the Gatehouse (L. J., XIII. 474; MS. Min. 24 March). Prosser was brought to the Bar on the 29th, and charged that he was to be an ensign under L. Arundel. Prance's deposition against him being read, he denied all that was deposed. He denied being in company with Maddison and Messenger, or that he ever showed a pistol to Prance (MS. Min.). The House then made the order (as in L. J., XIII. 486), directing Prosser to remain in custody and his bail to be discharged. On 1 April Prance and Prosser were again called to the Bar, and the House, after taking further evidence from Prance and one W. Boyce (MS. Min.), committed Prosser to Newgate for high treason (L. J., XIII. 492). A petition of Sarah Prosser was read by the Committee on 24th May, but nothing done on it. Exam. Book.]

Annexed:—

(*a.*) 29 March. Report of Serjeant-at-Arms. He has taken into custody Mr. Glascock and Mr. Redwood, Prosser's bail, since which they have found Prosser, and he has been taken. Waits at the door with them all, to receive their Lordships' further commands. Subjoined is a report that he has taken into custody Mr. Hemings and Mrs. Cross, on the complaint of E. Rochester, and one Craven, a very poor man, a bailiff's follower, on the complaint of Mr. Oates. *See* L. J., XIII. 486 and MS. Min. of date. [Craven was released, on report from the Committee of Examinations (L. J., XIII. 482), to whom Oates had expressed a desire to that effect. (MS. Min. 27 March). *See also* L. J., XIII. 482 and No. **110.** For Hemings and Mrs. Cross *see also* No. **117.**]

(*b.*) 1 April. Prance's information about Prosser's intent to kill the Lord Shaftesbury. L. J., XIII. 492. *In extenso.*

108. March 26. Whistler *v.* Wallis.—Petition of Philip Whistler, praying their Lordships to order Mr. Justice Wilde to bring up the writ of error and record, the Lord Chief Justice of the King's Bench having gone on circuit. [Read this day: nothing done in it. MS. Min. of date. *See also* No. **149.** The Appeal never came to a hearing.]

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Annexed:—

(*a.*) 8 May 1679. Petition of Defendant. Petitioner having obtained judgment for 144*l.* with costs, the Appellant has brought a writ of error for delay, but has failed to assign errors on the record. Prays that the judgment may be affirmed with costs. L. J., XIII. 558.

(*b.*) 30 Oct. 1680. Petition of Plaintiff, now a prisoner in the King's Bench, praying that Defendant and Whittaker may be ordered to answer for their contempt in causing petitioner to be taken in execution upon their judgment, notwithstanding his writ of error. L. J., XIII. 628.

109. March 26. D. of Norfolk's Privilege.—Petition of Richard Marryot, servant to his Grace the Duke of Norfolk, now in parts beyond the seas, praying their Lordships to stay proceedings in an action concerning the right to the Duke's fishing in the River Eden, for the trial whereof the Duke's tenant, Jervas Barty, has been arrested by John Hodgson and others. L. J., XIII. 481.

Annexed:—

(*a.*) 16 April. Petition of John Hodgson, of Northend, John Hodgson, of West-end, Joseph Mathew, Richard Selby, yeoman, and George Bell, Gent., praying to be discharged of the great trouble and expense of giving their personal attendance. L. J., XIII. 520. [The question of the privileges of peers beyond the seas was referred this day to the Committee for Privileges. L. J., *ib.*; but the Priv. Book contains no entry of any proceedings.]

110. March 27. Popish Plot (Paston, Craven, Spalding).—Report of Sir G. Charnock, to the Earl of Clarendon, that Woollaston Paston lodged nearly 20 years in the house of one Mr. Barnby, a tailor in Duke St.; but the people of the house said he went away upon the first proclamation, whither they could not tell. He has arrested Edward Craven and Capt. Spalding. *Dated* 26 (*Endorsed* 27) March. L. J., XIII. 473. [As to Craven *see also* No. **107**(a) and as to Spalding, No. **52.** Paston was accused by Prance on 20 March of having stated that Sir H. Bedingfield was to have a Commission under L. Arundel (L. J., XIII. 467), and on the 22nd of having told him in a conversation of "Popish designs," whereupon the House ordered his arrest (*ib.* 472). E. Clarendon, in reporting the second examination from the Committee, informed the House that it had not yet been communicated to the Council (MS. Min. 22 March.)]

111. March 28. Popish Recusants (Lady Smith).—Petition of Mary Smith, the widow of Sir Thomas Smith, of Sproxton, in the county of Leicester, in the behalf of herself and Francis, Lewis, and Martha Smith. Petitioner's husband constantly adhered to his late Majesty, and borrowed a great sum to raise a troop of horse under the Earl of St. Albans, whereupon his property was sequestered, and his estate has been extended to pay his debts, leaving petitioner and seven children in great want. Petitioner and three of her children have been imprisoned as recusants in Nottingham gaol. Pray to be discharged. L. J., XIII. 485.

112. March 28. Papists in London (Dickonson).—Petition of Jno. Dickonson, citizen and mercer of London. Petitioner, being a Roman Catholic, absented himself in obedience to the King's proclamation, leaving his partner, Nicolas Alexander, a Protestant, to manage the business. Prays for leave to return and manage his concerns in town

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for two months, his partner being ill. [*Endorsed:* "Nothing done in it." No entry in records.]

113. March 29. L. Ward.—Writ of Summons, dated 25 Jan., to Edward Ward, Ch^r, who took the Oaths this day. L. J., XIII. 486.

114. March 29. Papists in London (Returns).—Returns of Papists in the Inns of Court, Doctors' Commons, and Heralds' College, delivered pursuant to order of this day. *See also* Nos. **21, 22, 40.**

(*a.*) 3 April. List of such members (6) of Lincolns Inn as are Papists or reputed Papists, found upon examination by the Benchers now in town. [Brought in by the L. Privy Seal this day (L. J., XIII. 496) and read. (MS. Min.)]

(*b.*) Certificate that there is no Irishman, Papist, or reputed Papist in the society of Barnard's Inn. Signed, Ed. Story, Principal. Brought in 3 April.

(*c.*) Similar certificate as to Thavies Inn. Signed by Wm. Farmerie, the only Ancient of the Inn in town. Brought in 3 April.

(*d.*) Certificate by the only four Ancients of Staple Inn in town, viz.: Tho. Gerard, Ri. Huggins, Jos. Baker, and John Nedham, that there is neither Irishman, Papist, nor reputed Papist that are members of the Inn, except Mr. Stonor Growth of Wallingford, and Mr. Francis Hyde, of Hydend, who have absented themselves in obedience to the Proclamation for banishing Papists. Brought in 4 April.

(*e.*) Order of 29 March, directing above return. Appended to preceding.

(*f.*) Certificate by the seven Ancients of Furnival's Inn, viz.: Chas. Cocks, H. Davies, Edw. Colman, Ri. Aston, Nich. Hardinge, W. Norcliffe, and Wm. Bigge, that there is neither Irishman, Papist, nor reputed Papist, that are members of the Society. Brought in 8 April.

(*g.*) Similar certificate as to Cliffords Inn, signed by R. Graham, Principal, and Rich. Bell. Brought in 8 April.

(*h.*) Certified list of all Irish gentlemen (53) admitted to the Inner Temple since the Restoration, with the date of their admission; as also of reputed Papists (5) in the Inn. Signed by Tho. Hanmer, Treasurer, Jo. Heath, Tho. Robinson, Wm. Pulteney, John Trevor, Chas. Holloway, and Nich. Courtency. Brought in 10 April. [Richard Langhorne appears among the reputed Papists.]

(*i.*) Certificate of Treasurer and two other members that Chas. Trinder, Gent., a member of Lyon's Inn, is a reputed Papist, and that there is no other member of the Inn who is either a Papist or reputed Papist, or an Irishman. *Dated* 7 April. Brought in 16 April.

(*k.*) Certificate, signed by Fran. Coles, Butler Buggin, Law. Brome, Rich. Liegg, Edw. Penney, and Bartho. Tothill, six Ancients of New Inn, that there is no Irishman, nor Papist, nor reputed Papist in the Inn. *Dated* 10 May. Brought in 13 May.

(*l.*) Schedule of the names of Irishmen (37) and Papists or reputed Papists (12) as are members of Gray's Inn. Underwritten is a certificate from the benchers of the Inn, then in town, viz.: W. Jones, Creswell Levinz, and Jos. Keble. Brought in 30 April.

(*m.*) Certificate giving list of gentlemen born in Ireland (27) who are members of the Middle Temple, and stating that there is no

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Papist or reputed Papist in the Inn. *Signed*, Anth. Ettrick, Treasurer. Brought in 15 May.

(*n.*) Certificate, signed by Sir Henry St. George, Norroy, King of Arms, that there is neither Papist nor reputed Papist in the Herald's Office. *Dated* 5 April. Brought in 7 April.

(*o.*) Certificate stating that there are no Papists nor reputed Papists in the Society of Doctors' Commons, and that none is admitted until he takes the oaths of allegiance and supremacy. Signed by Rob. Wyseman, Dean of Arches, and Tho. Exton. Brought in 25 April.

(*p.*) Order of 29 March 1679, directing above return. Appended to preceding.

115. March 29. E. Pembroke's Privilege.—Statement of the arrest of Mr. Thos. Vile, servant and solicitor to the Earl of Pembroke, by one Wytham, at the suit of Daniel Templeman, wine-cooper in Cannon Street. The Earl, on hearing of the arrest, wrote to Mr. Sheriff How, in Hicks' Hall, but the Sheriff refused to release him. L. J., XIII. 487. [The Duke of Albemarle moved the House in the matter this day. MS. Min. The evidence at the Bar on 2 Ap. went to show that Vile was pewterer, and Master of the Mercury Office, and no servant to E. Pembroke. MS. Min.]

116. March 29. Papists (Children, &c.).—Draft order for an Address to exclude from office any persons bringing up their children in the Popish religion, or marrying a Papist. L. J., XIII. 488. *In extenso.*

117. March 29. E. Rochester's Privilege.—Petition of Elizabeth Cross, stating that she employed Luke Hemings to arrest one Wm. Clarke, an advocate in Scotland, steward to John Carr, whom she entertained, and who is indebted to her for meat and drink. Prays for leave to proceed against Clarke for recovery of her debt, as in the case of the Lord Manchester and others, and that she and Hemings may be freed from the custody of the Sergeant-at-Arms. L. J., XIII. 486. [Read this day MS. Min. Clarke on 26 March was ordered to be discharged of his arrest (MS. Min. of date. Not in L. J., XIII. 481). *See also* No. **107** (*a*).]

Annexed:—

(*a.*) 1 April. Petition of Luke Hemings. Was taken into custody on Saturday last. Has acted as Provost Marshal since the Restoration, and never had any complaint against him till this. Craves pardon for his offence, which was committed in ignorance, and prays to be discharged. [Read this day: Petitioner ordered to go and make his submission to the E. Rochester, and that being signified to the House, to be discharged. MS. Min. No entry in L. J.]

118. March 29. Ward *v.* Booth.—Petition and Appeal of Hon. William Ward, Esq., an Infant, by Edward Lord Ward, his guardian and next friend, and John Levett, Gent., and Mary, his wife. Sir Thomas Brereton, Bart., deceased, a man of weak understanding, was, while in drink, prevailed upon by Mr. John Warren, a Counsellor at Law, to settle his Manors and Lands in Cheshire, after the heirs of his body, on one Nathaniel Booth, and the heirs of his body, with a clause that the deed might be revoked on payment of twelve pence. Sir Thomas afterwards wished to revoke the deed, and tore off his hand and seal, and Warren carried off the rest of the deed. Sir Thomas, before his death, wishing to see whether he had effectually revoked the

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deed, asked to see it, but Warren assured him that it was void, and that he had lost it, and Booth now claims under it. Petitioners are the nephew and niece of Sir Thomas, and appeal against a decree of Chancery confirming the said settlement. Pray that Booth be ordered to answer. L. J., XIII. 504. [The Appeal was heard and dismissed on 24 May. Counsel for Appellant were *Mr. Birch*, *Mr. Rawlinson*, and *Mr. Porter*, and for Respondent *Mr. Keck*. MS. Min. 24 May.]

Annexed:—

(*a.*) 14 April. Answer of Nathaniel Booth Esq. Repels all imputations of fraud. Respondent is cousin german to Sir Thomas, and the part of the estate left to him is only worth 150*l.* a year, the remainder going to Appellants. Sir Thomas had deliberately given the deed to Warren, to preserve it from destruction during some fit of passion.

(*b.*) 24 May. Draft order dismissing the Appeal. L. J., XIII. 589.

119. March 31. Papists (Removal from London, etc.) Bill.—Amended* draft of an Act for freeing the City of London and parts adjacent from Popish inhabitants, *and providing against other dangers that may arise from Papists.*† "Whereas the City of London and parts adjacent, being the most populous part of the Kingdom, and the most flourishing by reason of the great riches and trade thereof, if the same [could be] *were* secured from being inhabited by any Popish recusants, and from their numerous resort thereunto, it would mainly conduce to the safety of the Protestant religion in this kingdom, and also continue the most considerable bulwark for the defence of the Protestant cause throughout Christendom, the effecting whereof was attempted by former laws, but by reason of some defects therein, and a late total neglect of putting them in execution, many Jesuits, seminaries and Popish priests have thought it the most secure place for them to lurk in, and have not only perverted many families inhabiting therein with their damnable doctrines, but have lately made it the place to consult and plot their most horrid treasons and wicked conspiracies for the destruction of his Majesty's most sacred person, the subversion of the Protestant religion, and the government of this kingdom, which God Almighty of His infinite mercy hath discovered and hitherto prevented; whereupon it appears now more than ever necessary to supply the defects of the former laws, and make full provision for clearing the said City and all places adjacent from Popish inhabitants," To that end the Bill enacts as follows:—*Clause* i. All Popish recusants, now or hereafter indicted or convicted of recusancy, shall on or before the *sixth* of *June* next, or within *ten* days after their indictment or conviction, depart from the City, and ten miles from the same, and shall not return again until conformity, on pain of paying *one hundred* pounds per month, *and after that proportion for any longer or shorter time*, while they remain; half to go to the Crown, and half to the person suing. *Clause* ii. Those who have licenses to come to London or within the prohibited compass, shall within *two* days after their arrival, give their names and address to the Lord Mayor or, if outside the City and liberties, to the nearest Justice of the County where they lodge, nor shall they stay more than *ten* days at a time, or more than *forty* days in any one year, on pain of paying *one hundred pounds*, and also *five pounds* for every day they shall

* The additions are shown by italics, the omissions by square brackets.
† Added on 17th April. Com. Book.

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so remain; half to go the crown, and half to the person suing; and the same penalty to apply to those who come in without a license. *Clause* iii.* *Provided that any one who at any general or quarter sessions in the City or said compass, shall take the oaths and subscribe the declaration in the Test Act of* 1678, *shall be at liberty to remain there, until again indicted or convicted of recusancy. Clause* iv.† In case any poor person, being obliged by this Act to leave, shall be disturbed from settling in any other parish upon pretence of danger of his becoming chargeable thereto, he shall be removed to the parish where he was born and settled, if he was born out of the prohibited compass, and if born within it, any two justices may settle him in any parish out of the compass, within the limits of their respective commissions, *with a right of appeal to the next general or quarter sessions, who may settle the person elsewhere within their jurisdiction, and whose decision shall be final. Clause* v.‡ Provided that the Act shall not extend to merchant strangers, *nor to other strangers that shall come into the Kingdom as travellers, not being artificers or householders, nor to such aliens (being artificers) who for eminent skill in their trades and faculties, shall obtain license from his Majesty in Council to dwell within the said compass. Clause* vi.§ All members of the Inns of Court and Inns of Chancery, Doctors' Commons, the College of Physicians, and the Heralds' Office shall before the end of *Easter* term next, in term time, in the public hall of their society, between 11 a.m. and 1 p.m., openly take the oaths || and subscribe the declaration, to be [administered] *tendered* them by the two most ancient of the society then present, after they had first tendered them to each other and subscribed the declaration themselves. Any member refusing so to do shall be *ipso facto* expelled. All new members shall take the oaths, etc. on their admittance, failing which it shall be null and void. Parchment rolls, with the names of all who have taken the oaths, etc. shall be kept in the Society. Anyone continuing in the Society and enjoying its privileges without having taken the oaths, etc., shall forfeit *one hundred* pounds, and *twenty* pounds for every month of such continuance, half to go to the Crown, and half to the person suing. *Clause* vii.¶ And for a further and more effectual preventing and hindering Papists from using several professions, trades, and occupations within this realm, by means whereof they may

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* This clause was drawn by L. C. J. North, by direction of the Committee, to explain the manner of conformity. The obligation to take the oaths, which had been struck out on the 4th, was restored on the 10th. Com. Book, April 2, 4, 10.

† This clause, respecting the removal of poor persons (Comp. L. J., XIII. 477), was postponed at first until hearing the Recorder or some other person to be appointed by the Lord Mayor to attend the Committee on behalf of the City of London. The Corporation, however, on the 12th informed the Committee that they would not trouble them on the Bill. Com. Book, April 5, 12.

‡ The amendment that follows was drawn by L. Chief Justice North by direction of the Committee. Com. Book, April 2, 4.

§ The portion following, which relates to the Inns of Court, &c., had been ordered on the 29th to be drawn as a separate Bill, but was added to this Bill on 4 April, the Committee reporting a recommendation to that effect, at the suggestion of L. C. Justice North. L. J., XIII. 487, 497. Com. Book 4 April. The L. C. Justice offered the clause accordingly on the 5th. Com. Book, 5 April.

|| The requirement to take the oaths in addition to subscribing the Declaration, appears in the draft, as originally written, but is there struck through. It was restored on 29 April on report of the Committee of the Whole House appointed to consider the Amendments reported that day. Com. Book, April 17. MS. Min. 29th April, and L. J., XIII. 545.

¶ The remainder of the Bill was added by the Committee on the 17th April having been drawn by L. C. Justice North, by their directions on the 10th. Com. Book.

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have opportunities of being instrumental in traitorous designs and conspiracies, it is enacted that no Papist or Popish Recusant convict shall after the twentieth of July next, profess or practice the common law of this realm, as Counsellor of law, lawyer, pleader, or as attorney, clerk, or solicitor in any court of law or equity, nor be a judge, register, minister, clerk, steward, or other officer of any court of law or equity, nor shall keep any Court Leet, Court Baron, or other inferior Court, nor be a recorder, town-clerk, or other officer in any city, borough, or Corporation; nor shall practise the civil or canon law as advocate, or proctor, or solicitor, or in any Court; nor shall practise physic, nor use nor exercise the profession, art, or occupation of a surgeon, apothecary, bone-setter, or midwife; nor shall take upon him to be executor, or administrator, guardian or trustee, nor to exercise any office, civil, military, or ecclesiastical; nor shall use or exercise the arts, trades or occupations of a gunsmith, sword-cutler, armourer, sadler, printer, or bookseller, or of making or retailing gunpowder, nor shall keep a tavern, inn, alehouse, or victualling house, on pain of forfeiting twenty pounds a month, while his offence continues, and according to that rate for every greater or lesser time, half of the penalty to go to the Crown, and half to the person suing, and also of being disabled to sue or to be guardian of any child, or to be executor, or administrator, or trustee, or capable of any legacy or deed of gift.—*Clause* viii. If any person after 24th June next, shall knowingly keep any servant who is a Popish recusant convict, he shall forfeit five pounds a week while such offence continues, to be recovered as above.—*Clause* ix. And for preventing Popish recusants sending their children to be educated in seminaries or other parts beyond the sea, out of the King's obedience.—Clauses ix. and x. enact the same provisions as Clauses i. and ii. of the Popish Recusants (Children's Education) Bill (No. **48**) as amended,* altering the first date in Clause i. to "1st June 1679," and the second to "24th June 1679," and the penalties of 500*l.* to 300*l.*, and in Clause ii. "one year" to "six months."—*Clause* xi. If any married woman shall, after the 24th of June next, be reconciled to the Church of Rome, or become a Popish recusant convict, neither she, nor her trustees, shall be entitled, during conviction, to any alimony, dower, or other customary estate, jointure, or separate maintenance. But this Act shall not debar her husband, if a Protestant, from taking or suing for any dower or jointure or other estate which he may demand and enjoy in her right.—*Clause* xii. And whereas great quantities of arms, armour, and munition have been of late times concealed in the houses of Papists and other persons to their use, and many of them have been seen to ride armed in unusual numbers, to the disturbance and disquieting of the minds of his Majesty's good subjects, it is enacted that, from and after the 24th of June next no Papist or Popish recusant convict, or any other person who after that date shall marry a Popish recusant convict, shall have in his house, or in the possession of any other at his disposition, any guns or firearms, or any armour, gunpowder, or munition or weapons whatever; but the same shall, by warrant of any justice or deputy lieutenant, be seized and sold, and the value given to the churchwardens or ministers of the parish for the use of the poor and impotent parishioners; and, if seized on any information, one third of the value shall, by warrant, be given to the informer. Provided that if such Popish recusant, having any arms, &c., shall on or before the 24th of June next give an inventory thereof on oath to any justice or deputy

* That Bill was delivered, on the 10th, to C. J. North, who drafted these clauses (MS. Min. 10th April).

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lieutenant near adjoining, and shall not hinder the removing or disposing of the same, he may be allowed necessary weapons, not being firearms, for defence, and a certificate of such allowance must be delivered to the next quarter sessions. Any Popish recusant having in his possession after the 24th of June next any arms, except such as are allowed and certified, shall be imprisoned for one year, without bail. *Clause* xiii. Any person, suspected to be a Papist, but not convict, who shall refuse to take the oaths, &c., is declared to be a Popish Recusant convict. And if any arms, &c. be found after the 24th of June next in the house of such parties, the arms shall be seized and disposed of as above, and the party shall, by warrant of the justice before whom he refused to take the oaths, etc., be committed to prison for six months without bail. The justice before whom he is convicted, shall certify his conviction to the next quarter sessions to be recorded.—*Clause* xiv. And to the intent that Protestant Dissenters who will take the oaths and make and subscribe the declaration may not remain liable to the laws intended against Papists, it is enacted that if any person that shall be molested or sued upon any of the laws made or intended against Popish Recusants, or against whom any conviction upon any of the said laws shall be pleaded to bar or delay any suit in any Court of law or equity, shall in such Court appear in person, or appear before any master of Chancery or Commissioner having power to take affidavits, and shall take the oaths and subscribe the declaration, which shall be certified into the Court where the suit is or the plea depends, such person shall be discharged from all penalties, disabilities, and forfeitures before that time incurred, and not levied, and shall be discharged from all convictions, and remain so, until a new conviction. *Clause* xv.* ***All persons convicted of offending against this Act, shall, over and above the penalties aforesaid, pay and contribute thrice as much to all parish charges and taxes, assessments, and other public charges and Parliament taxes whatsoever, as otherwise they should or ought to have done.*** [On 28 March the House, being put into Committee to consider the report of C. J. North and Baron Thurland (No. **96**) on the state of the laws as to clearing London from Popish families, reported in favour of a Bill, to be prepared by the L. C. Justice and the Attorney General, for clearing London and Westminster from Papists, the Bills for preventing the sending of children abroad to Popish seminaries (Comp. L. J., XIII. 407), and for disabling Papists to exercise certain trades and professions, to be "looked at" (MS. Min. 28 March). The House on this report ordered accordingly. (L. J., XIII. 485.) On the 31st the Judges presented their Bill through the Lord Chancellor, and it was read 1ª (*ib.* 491.) It extended, when introduced, only to Clause v.; the remaining clauses, drawn by C. J. North (Com. Book 17 April), who, with Baron Thurland, was ordered to assist the Committee (MS. Min. 8 April), were added in Committee, pursuant to power given by the House (L. J., XIII. 506). On the 9th April V. Halifax offered a paper of paragraphs to the Committee to be added to the Bill. (Com. Book.) The Bill was reported, as amended, on 29 April (L. J., XIII. 545.), and passed on 2 May, after a debate, "whether the oath should be continued in the Bill, or the Bill be altered at the table" (MS. Min. 2 May, L. J., XIII. 549).† *See also* No. **44**, and for Lords' Engrossment of this Bill, etc., No. **161**].

* This last clause was added in Committee 17 April. Com. Book.

† The MS. Min. add a memorandum, that the House being to be counted upon the last question, and it being moved that the Contents (for more punctual telling the House) might go below the Bar, the L. Privy Seal opposed it, unless it might be entered not to be taken for a Rule, or brought into precedent, that Lords upon voting should be put to go out of the House; which was ordered."

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Annexed :—

(*a.*) 29 April. Lords' Amendments, reported this day. Com. Book, April 2, 5, 10.

(*b.*) *Undated.* Copy of enacting clauses to the following effect. It begins with Clause vii. of the Bill above, except that here the dates are 1st May for professions and Michaelmas for trades instead of 20 July ; schoolmasters or schoolmistresses are added and innkeepers omitted; Recusants cannot hold any office by deputy ; disability where established can be removed by taking the oaths and making the declaration in court ; and the penalty is 20*l.* instead of 20*l.* a month. Then follows Clause i. of the Bill, except that Recusants and husbands of Recusants are to leave London within three months after the end of this session of Parliament ; the penalty is 50*l.* to the churchwardens, for the poor and impotent parishioners, and six months imprisonment without bail and disability to sue are added. Then follows Clause v., but the license is to be granted as in Commons' amendments to Clause ii., but without fee.* Then follows Clause viii. of the Bill with the Commons' amendments, the penalty for keeping Popish servants being 20*l.* a week instead of 5*l.* Then comes the following: No female subject or her child, if under the age of twenty-one (excepting ship-boys or merchants' factors or apprentices), shall go beyond the seas without license of six Privy Councillors, for which 5*s.* shall be paid, on pain that the officers of the port, who shall willingly or negligently suffer such to pass or not enter the names of such passengers licensed, shall lose office and incur all the other penalties in the Act ; and that the owner of the vessel, knowingly carrying them, shall forfeit his vessel, the proceeds to be divided between the poor of the parish and the person suing ; and that every master or mariner of the vessel shall forfeit all his goods as aforesaid, and be imprisoned for twelve months without bail; and that every woman or child so offending shall take no benefit of any gift or bequest, and be disabled by themselves, or by their guardians, from suing in any court of law until they, being over sixteen years of age, shall manifest their conformity by proving in the Court of Exchequer that they have for six months previous usually attended church on Sundays, and once at least taken the Sacrament, and by taking the oaths then and there and subscribing the declaration. Pending such conformity, their next of kin to enjoy their property without giving account. Provided that one or more of the parents or guardians of such child, under the age of sixteen, as is licensed to go abroad, shall before such license is granted, make oath before the Lord Chancellor or two or more Privy Councillors, of whom one shall be a Principal Secretary of State, that the child is not sent abroad to be educated in any Popish seminary, on pain, in case of omitting to make such oath, or making false oath, of suffering all the penalties in the Act of 30 Car. II. Provided also that the senior clerk of the Privy Council shall yearly in Easter term register and certify all such licenses to the office of the Treasurer's Remembrancer in the Court of Exchequer, who shall enrol the same before the end of Trinity term following; the penalty for non-compliance being 20*l.* for each offence to the person suing. —Then follow Clauses xii. and xiii. of the Bill *verbatim*, the

* For the Commons' Amendments referred to on this paper, *see* No. **161**, Annex (*a.*)

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date being 24th May.—The last clause enacts that if any person shall falsely and vexatiously suggest by motion or plea in any court that any person, being a Protestant dissenter, is a Papist, thereby to abate, bar, and avoid any suit or information brought by him, then if such Protestant dissenter shall in open court make, subscribe and repeat the declaration in 30 Car. II., and two sufficient witnesses shall depose on oath that he is a Protestant dissenter and not a Papist or reputed Papist, such motion or plea shall be rejected, and the person that made it shall pay [blank] to the party grieved. [Found with the Bill above, of which it appears to have been the parent.]

120. April 1. E. Danby's Attainder Bill.—Commons' Engrossment (as finally amended for Royal Assent) of "An Act for the Attainder of "Thomas Earl of Danby, of High Treason.* In all humble manner "shew unto your most Excellent Majesty, your Majesty's most dutiful "and loyal subjects, the Lords Spiritual and Temporal and Commons "assembled in Parliament, that whereas Thomas, Earl of Danby hath "by the Commons in Parliament assembled, in the name of all the "Commons of England, been impeached of treason and other high "crimes and misdemeanours, to which said impeachment, now remaining "upon record in the House of Peers, the said Thomas, Earl of "Danby, hath not answered, but is fled from justice without abiding his "legal trial, May it therefore please your most Excellent Majesty that it "may be enacted, and be it enacted by the King's Most Excellent Majesty, "by and with the advice and consent† of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, that if the "said Thomas, Earl of Danby, shall not render himself unto the Usher "of the Black Rod attending, the House of Peers, or the Constable or "Lieutenant of the Tower of London for the time being, who are "hereby required to receive and keep him in safe custody in order to "his trial in Parliament at or before the one and twentieth‡ day of April, "in the year of our Lord one thousand six hundred seventy-nine, and "also abide his legal trial for the treasons, high crimes, and misdemeanours whereof he stands legally impeached, Then the said Thomas, "Earl of Danby, not rendering himself, or not abiding his legal trial as "aforesaid, shall§ from and after the said one and twentieth‖ day of "April stand and be adjudged attainted of high treason to all intents "and purposes whatsoever, and shall suffer and forfeit as a person "attaint of high treason by the laws of the land ought¶ to suffer and "forfeit. And be it further enacted by the authority aforesaid that all "and every the manors, messuages, lands, tenements, rents, reversions, "remainders, possessions, rights, conditions, interest, offices, fees,

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* The Lords added here to the title, the words "in case he shall return into, or be found in any of the King's dominions, after the 1st day of May 1679." Amendment No. 1 on Annex (*a*) below, and in C. J., IX. 588.

† Corrected from "consent and advice." Amendment No. 2 *ut supra*.

‡ The Bill, as from the Commons, read here "the 10th day of April next ensuing." The Lords altered this first to the 15th (Amendment No. 3 *ut supra*), and finally (L. J., XIII. 514) substituted the date as in the text above.

§ The Lords proposed to read here, "shall if he return into or be found in England or any other his Majesty's dominions after the 1st day of May 1679. Amendment No. 4 *ut supra*.

‖ "10th day of April" in the Bill as sent from the Commons. Rectified first consequentially on Amendment No. 3, to "15th," (L. J., XIII. 514), and finally (*ib.*) amended as in the text.

¶ Corrected from "aught." Amendment No. 5 *ut supra*.

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" annuities, and all other the hereditaments, leases for years, chattels, " real and personal, of what nature soever, whereof the said Thomas, " Earl of Danby, or any other person or persons to his use or in trust " for him did on or after the three and twentieth day of December last " stand seized or possessed, either in law or equity, shall* be deemed " and adjudged to be forfeited to his Majesty, and are hereby vested and " put into the actual seizin and possession of his Majesty, without any " further office or inquisition thereof hereafter to be taken or found. " And for the more effectual discovery of all such trusts as any person " or persons shall be seized or possessed of as aforesaid, Be it enacted " that if any person or persons, who shall stand seized or possessed in " trust as aforesaid, shall not before the feast of St. Michael the Arch- " angel next ensuing discover such estate and estates as they do or " shall stand seized or possessed of in trust as aforesaid in his Majesty's " Court of Exchequer, and cause the same to be entered upon record in " the Office of the King's Remembrancer there, then every person or " persons that shall wilfully and knowingly conceal and not discover the " same, as is before by this Act required, shall forfeit double the value " of the estate so concealed, and not discovered as aforesaid, which said " forfeitures shall be recovered by action of debt, bill, plaint or infor- " mation in any of his Majesty's Courts of Record at Westminster, " wherein no essoigne, protection or wager of law or more than one " imparlance shall be allowed or admitted, nor any judgment delayed or " reversed in any writ or writs of error for any Jeofailes or want of " form only, the one moiety whereof to go to the use of his Majesty his " heirs, and successors, the other moiety to the informer that shall sue " for the same;† And be it further enacted by the authority aforesaid, " that the said Thomas, Earl of Danby, shall not be pardoned any of " the crimes or offences in this Act mentioned, but is made incapable of " any pardon for the same from the King's Majesty, his heirs and suc- " cessors, unless by Act of Parliament wherein he shall be particularly " named." *Parchment Collection.* [The Bill was brought from the Commons this day (L. J,, XIII. 492), and returned to them, amended, on the 4th at a Conference instead of by message (*ib.* 497), after a debate had on the question of returning it in that manner. V. Fauconberg and L. Colepeper appear to have been substituted for E. Shaftesbury and V. Halifax, as two of the peers who were to prepare what was to be offered at this Conference, and E. Clarendon's name, not in L. J., XIII. 497, is included among the Managers. It being moved that the rule of the House might be settled and certain for the future about the withdrawing and securing of Lords charged with special matter from

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* The Lords inserted here (Amendment No. 6 *ut supra*) the words "in case of his returning or being found as aforesaid."

† The Lords inserted here the following Clauses: viz. (1) " And be it further en- " acted by the authority aforesaid, that if the said Earl of Danby shall not render " himself upon or before the said fifteenth day of April, to abide his trial as aforesaid, " That all Letters Patents of creation to any dignity, and all gifts, grants, and leases " made or to be made by the King's Majesty, his heirs or successors, bearing date " on or after the 23rd day of December in the year of our Lord 1678 to the said " Thomas, Earl of Danby, his heirs, executors, or administrators, or any of them, or " to any person or persons in trust for, or to the use and benefit of the said " Thomas, Earl of Danby, his heirs, executors, or administrators, shall be " void to all intents and purposes, though the said Earl of Danby shall not return " into or be found in England or any of his Majesty's dominions after the 1st day of " May aforesaid;" and (2) the Clause concerning correspondence with the Earl, taken *verbatim* from the Bill of banishment (No. **103**). These clauses form Amendment No. 7 *ut supra*.

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the House of Commons, after some debate, nothing was done in it. The Black Rod was then commanded to clear the Painted Chamber for the Conference; and the Lords taking notice that some of the House (notwithstanding the Standing Order to the contrary) had gone out into the Painted Chamber before the Commons had come to the Conference, they were sent for to come back into the House (MS. Min. 4 April). On the 14th, upon debate of the matter of the third Free Conference held on the 12th, the E. Strafford withdrew before the question was put (L. J., XIII. 514), on the ground of illness. It was proposed that proxies might be used, but being opposed, after some debate upon it, the proposal was waived (MS. Min. 14 April). The Bill, after passing both Houses in the shape above, dropped without receiving the Royal Assent, in consequence of the Earl surrendering himself on the 15th. L. J., XIII. 520. *See also* Nos. **74, 80, 103, 147.**]

Annexed:—

(*a.*) 3 April. Lords' Amendments (7) to the Bill, agreed to on report from C. W. H. this day. L. J., XIII. 496. Numbered and noted marginally Agreed, Not Agreed, as in C. J., IX. 588. *See* notes to text of Bill above, and MS. Min. of date.

(*b.*) 8 April. Commons' reasons for disagreeing to certain of the Lords' Amendments to the Bill. C. J., IX. 589; L. J., XIII. 504. *In extenso.* [Delivered at the Conference this day.]

(*c.*) 8 April. Lord's reasons for insisting on their Amendments. In the second paragraph the words, before correction, were "desire you to believe that no private concern whatsoever "hath prevailed with their Lordships to mediate or interpose in "a matter of this nature." L. J., XIII. 505. *In extenso.* [Reported this day by the L. Chancellor, and delivered at the Conference.]

(*d.*) 10 April. L. Privy Seal's report of the Free Conference held this day. L. J., XIII. 509. *In extenso.* [This report was supplemented orally by E. Huntingdon and E. Shaftesbury, who offered to the House what the L. Privy Seal had omitted. MS. Min. of date.]

(*e.*) 14 April. Lords' Amendments (2) made this day, altering the dates of 10th and 15th April to 21st April. L. J., XIII. 514.

121. April 1. Clergy Declaration Bill.—Amended Draft of an Act requiring all ecclesiastical persons to make and subscribe the Declaration therein mentioned. It being most necessary that all persons who enjoy any benefice or ecclesiastical promotion or any place in either University, or any school, and thereby are qualified to instruct others, should give public testimony of their being Protestants, especially in these times wherein *many of** the Popish party, to enable them to carry on their hellish and damnable plots and conspiracies against his Majesty's person and government, do comply with all tests provided by former laws to distinguish them from true Protestants, the Bill enacts that every dean, canon, and prebendary of every Cathedral or collegiate Church, and all masters and other heads, fellows, chaplains, and tutors of or in any college, hall, house of learning, or hospital, and every public professor and reader in either of the Universities, and in every college elsewhere and every parson, vicar, curate, lecturer, and every other person in Holy Orders, having any ecclesiastical benefice, dignity or promotion,

* The words in italics were added in Committee. Com. Book, 8 April.

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and every schoolmaster keeping any public or private school, and every other person instructing or teaching any youth in any house or private family as a tutor or schoolmaster, and every bishop's chancellor, official Commissary, Register, or Judge of any Ecclesiastical Court shall at the next general or quarter sessions for the shire or division where they live, after the *twenty-fourth* day of *June* 1679, make and subscribe in open court the Declaration in the Test Act of 1678. The penalty for non-compliance shall be deprivation of office, and a fine of 200*l.*, to be recovered by anyone suing for the same, and disability to hold any ecclesiastical benefice or promotion until the said declaration is made and subscribed. Persons prevented by sickness from attending at the said next general or quarter Sessions, shall attend at the next Sessions after he shall be able to repair to the same. [Read 1ª this day ; dropped in Committee. L. J., XIII. 492, 498. *See also ib.* 479 and No. **98.**]

122. April 4. Papists in London (Lady Braithwaite).—Petition of Mary Braithwaite, widow, who is 65 years of age, and infirm, for leave to stay in town, with her niece and one maid. L. J., XIII. 497.

Annexed :—

(*a.*) 1 April. Certificate of Thos. Sydenham, M.D., that the Lady Mary Braithwaite, from her great indisposition, cannot go out of town without great hazard. [Appended to preceding.]

123. April 4. E. Manchester's Privilege.—Case of Edward, Earl of Manchester relating to the breach committed upon his privilege by Richd. Harvey and the servants of Edmund Mewtos, Henry Smith, a stone-cutter, and others. States, in addition to what appears in L. J., that the Earl had obtained in 1677 a decree from the Commissioners of the Fens for an improvement to be made out of the Fens within his Manor, in right of his Seigniority, of 110 acres. He enclosed the improvement accordingly, and put a shepherd in possession, who was ousted by Harvey and others. *See* L. J., XIII. 497. *See also* Calendar, 9th Report, No. **550.**

Annexed :—

(*a.*) 4 April. Statement of facts sworn to this day by Isaac Kilburne and Joseph Barnes as to the breaking down of the fences. L. J., XIII. 497, and MS. Min. of date.

(*b.*) Paper containing the names of the persons complained of. L. J., XIII. 497.

124. April 4. Noy *v.* Sir Peter Fortescue.—Petition and Appeal of William Noy, Executor of Honor Noy, and Humphry, Sarah, Honor and Prudence Noy, children and administrators of Francis Noy. Petitioner. William's father, Philip, died possessed of a term of 99 years absolute of lands in Cornwall, which Petitioner's brother Francis, Philip's Executor, assigned to Sir Peter Courtney, as security for a loan of 500*l.* from Edward Parker to Humphry Noy (Attorney General Noy's son), for whom Sir Peter and one Holmes were sureties. Francis is alleged to have made this assignment after Humphry and Sir Peter had kept him up two days and two nights drinking, and when he was disguised in drink; and to have received only 50*l.* for it, whereas the property was worth 3,000*l.* Petitioner William, an officer at Portsmouth, had enjoyed the property for 15 years when Sir Peter Courtney brought his ejectment against him and obtained judgment by default while Petitioner was attending the King's service. The Court of Chancery had ordered the other Appellants, the children, to be made parties, and had dismissed William's Bill and decreed that the children might redeem the property for 1922*l.*, for the debt and costs, which they are unable to do. Pray that Sir Peter Fortescue, Bart., and Dame Amy, his wife,

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relict and executrix of Sir Peter Courtney, should be ordered to answer. L. J., XIII. 511. [Brought in this day. The Appeal was heard on 8 Jan. 1680–1. *Sir John Churchill*, *Mr. Rawlinson*, and *Mr. Phillips* were Counsel for Appellant, and the *Solicitor General*, *Mr. Keck*, and *Mr. Hutchins* for Respondent. (M.S. Min.).]

Annexed :—

(*a.*) 28 April. Petition of Sir Peter Fortescue, Bart., and Dame Amy, his wife, praying for further time to answer, and that Appellants should, before any further proceedings, give security to perform the Decree. The suit was vexatious and had lasted 18 years. L. J., XIII. 544.

(*b.*) Affidavit of Respondents that the order to answer had been served on them only on the 21st. [Dated 22 April and appended to preceding. *See* L. J., XIII. 544.]

(*c.*) 9 May. Answer of Respondents. Appellant William has no right in the matter, and has brought his Appeal merely in order to avoid payment of 100*l.* costs decreed against him. The other Appellants have not signed the Appeal, and will not redeem the property because it is not worth so much as Respondents' just claim against them. The Appeal is vexatious. *See* L. J., XIII. 653. [Brought in this day.]

(*d.*) 6 Nov. 1680. Petition of Appellants reviving the Appeal, and for a day for hearing. L. J., XIII. 653.

(*e.*) 22 Nov. 1680. Petition of Respondent, Sir Peter, for further time for hearing, his papers being in Cornwall. L. J., XIII. 681.

(*f.*) 8 Dec. 1680. Petition of Respondents that Appellant should give security for the heavy costs of the Appeal. L. J., XIII. 707.

125. April 4. Sayer *v.* Attorney-General.—Petition and Appeal of John Sayer, John Billingsley, Thos. Blagrave, and Thos. Dyos, of London, Vintners. Petitioners, together with John Wadlow, W. Hargrave, Thos. Coates, Rich. Dormer, John Henderson, all deceased, and Rich. Kensey, entered into a contract to lend the King 300,000*l.* on security of the Act of 1668 for raising 310,000*l.* by an imposition on wines, and had orders of loan for the same, which were assigned to several persons who lent money thereon, Mr. Colvile, a London goldsmith, being treasurer of the money. After 222,700*l.* had been raised, by the duties of the Act, and paid in discharge of orders, Petitioners, in 1669, with the privity of Colvile, released the benefit of the contract to Wadlow, Henderson, and Hargrave, who, instead of levying the 4*l.* per tun for the year after the Act of 1668, which, if done, would have supplied the defects of the other duties, obtained a second Act to raise the balance of the money, and 52,000*l.* was raised by it. Then the Attorney General at the prosecution of the Executrix of Colvile sued Petitioners and the other undertakers in Exchequer for an account of the monies raised under both Acts, although Petitioners had no interest in the second Act, and obtained a Decree for 47,881*l.* 8*s.* 9*d.* Petitioners ought not to be answerable for any part of the money, and appeal against the Decree, as they cannot be relieved by a Bill of Review. Kensey has lately been released from the said Decree by the King. Pray that the Attorney-General may be directed to answer. [*Endorsed* as delivered this day; no record in L. J. or MS. Min. of date. The Appeal never came to a hearing.]

Annexed :—

(*a.*) 6 Nov. 1680. Petition of Sayer and Blagrave. Petitioners, the other Appellants being dead, presented their Appeal last Session, but by reason of weighty affairs then before the House,

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could obtain no order thereon. Pray that a day may be appointed for the Attorney-General to answer. L. J., XIII. 653.

126. April 5. Fountain *v.* Guavas (Original and Cross Appeals). —Petition and Appeal of Andrew Founteyne. John Coke, late of Holkham, tenant in tail of a very large estate, having quarrelled with his father, the tenant for life, and being forced to dwell apart, was entertained by Petitioner's father, a mutual friend, during which time, having resolved to study the Canon law, he contracted a great intimacy with Petitioner, then a student of the Inner Temple, whom he induced in 1657 to travel with him, and on the elder Coke's death, in 1661, granted to Petitioner, in return for many kindnesses received on his travels, a rentcharge of 1,000*l.* a year out of his estate, and authorized him by deed to receive the rents of certain lands in the west, for which receipts he was careful to give him releases to extinguish all accounts for the same, all which releases, being nine in number between 1661 and 1669, were drawn and witnessed by Guavas, he being Petitioner's servant at a salary of 20*l.* a year, and continuing to be so employed after Petitioner had preferred him to be Coke's solicitor. Petitioner had thus received about 14,000*l.*, which he took to be in place of the 1,000*l.* a year, as no other provision was made for satisfying the rentcharge, and both Coke and Guavas on several occasions attested the same to be his own estate. Petitioner then married a Mrs. Wells, a kinswoman of Coke's, and settled the 14,000*l.* upon her; but after Coke's death, in 1671, his executors Guavas, Robert Coke, and Mrs. Elizabeth Cobb, sued him in the Exchequer for the money, on the ground that it had been given him to invest in trust for Coke. In spite of his releases, the Court, on 10 June 1678, decreed against him, and after directing a trial to be had on two issues as to 6,000*l.*, being part of the moneys received, prevented Petitioner from having those issues fairly tried, by compelling him to admit Guavas to have been Coke's receiver, which was contrary to the fact, and which barred Petitioner of the benefit of the releases. Petitioner has no remedy by Bill of Review. Prays that Guavas, Robert Coke, and Mrs. Cobb may be ordered to answer. Counsel signing are *Fr. Pemberton* and *Edward Ward*. Endorsed as brought in this day. No entry in L. J. [For proceedings at the hearing of the Original Appeal, in which *Sir William Williams* and *Mr. Finch* appeared for the Appellant, and *Serjeant Hutchins* and *Sir Ambrose Phillips* for the Respondents, *see* MS. Min. 7, 8, 9, 11, 13, 20, and 24 Jan. 1689-90. In the division on the 11th, as to which a mistake was made and afterwards rectified, E. Huntingdon was Teller for the Contents, and E. Macclesfield for the Non-Contents. The question as to the preliminary was negatived by 22 to 21, *i.e.*, *Contents* 15, Proxies 6; Total 21, Teller L. President; *Not-Contents* 20, Proxies 2; Total 22, Teller L. Privy Seal. In the division on the question as to adjourning the debate, the Contents were 17, and the Not-Contents 19, Tellers L. North and L. Ashburnham. For proceedings on the hearing of the Cross Appeal of "Coke *v.* Fountain," *see* M.S. Min. of 2, 4, and 12 April 1690.]

Annexed:—

(*a.*) 2 June 1685. Copy of preceding, formerly lodged, and now presented. L. J., XIV. 27.

(*b.*) 2 June 1685. Petition of same for a day for hearing and that Guavas, the surviving executor, may be ordered to answer. Notwithstanding the Appeal, which still depends before the House, and security having been given, which stays proceedings, Peti-

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tioner had been prosecuted by Guavas for a debt of 5,000*l.* lent to Sir Robert Holt, without any trial at law yet had thereupon, as well as for the sums for which he held releases. L. J., XIV. 27.

(*c.*) 4 June 1685. Petition of Edward Coke, Esq., an infant of about seven years old, by the Lady Anne Coke, his mother and Guardian. On John Coke's death, and after the decree in the Exchequer, Guavas claimed the whole of his personal estate as having been left to him by will, leaving the 30,000*l.* debts and legacies to be paid out of the real estate of 2,000*l.* a year. Petitioner, however, on whom the real estate is settled, had since obtained a Decree in Exchequer ordering the debts and legacies to be paid first out of the personal estate, and the residue out of the real estate. As the whole personal estate will thus be swallowed up, and Guavas has thus no interest in the matter, Petitioner prays to be heard by Counsel against receiving the Appeal, or if it be received, to be made Respondent in his stead, and that Guavas may be ordeerd to deliver up the documents in his possession, as he is merely a trustee for Petitioner, and is believed to be in collusion with Appellant. The latter had brought no Bill of Review. [MS. Min. state that the Petition was referred to the Committee for Petitions, adding that Guavas was "but a nominal person." *See also* L. J., XIV. 55.]

(*d.*) 27 June 1685. Petition of William Guavas. Petitioner is in custody for not having answered a Bill in Chancery, so that he cannot comply with the order to answer. Prays that he may be released, have two days further time to answer, and be protected in defending the Appeal. L. J., XIV. 64.

(*e.*) 30 June 1685. Answer of Edward Coke, an Infant, by the Lady Anne Coke, his mother and Guardian. The decrees complained of in the Appeal are just and equitable. Guavas had obtained a Decree ordering Appellant to deliver up to Coke's executors the mortgage deed made by the late Sir Robert Holt, Bart., and other documents; but in consequence of Respondent's having since obtained a decree against him in the Exchequer on 20 Jan. 1682, whereby the whole benefit of the former decree is transferred to Respondent, he had taken no steps to enforce the former Decree against Appellant. Guavas has not yet delivered up the documents in his possession, so that Respondent cannot defend the Appeal. Prays that he may have a convenient time after the delivery of the deeds to bring a Cross Appeal and prepare for the hearing. [Received this day, and to be read the following. MS. Min.]

(*f.*) 1 July 1685. Answer of Wm. Guavas. Had taken steps to enforce the former Decree, but Appellant stood in contempt, and had not yet delivered up the Deeds relating to Sir Robt. Holt's debt. *Endorsed* as brought in this day.

(*g.*) 12 Nov. 1685. Petition of Edward Coke, as above. Guavas keeps back some of the papers in the Case. Petitioner prays he may be ordered forthwith to deliver them to the Clerk of the Parliaments, and that Petitioner may be allowed to present a Cross Appeal against the dismissal of the Bill in the Exchequer as to 4,911*l.* 14*s.* 6*d.*, and the denial of a sequestration, which Guavas refuses to do. L. J., XIV. 79.

(*h.*) List of papers, kept back by Guavas, appended to preceding.

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(*i.*) Affidavit of James Groundman, Edward Coke's Solicitor, that Guavas had delivered up many of the papers, but still kept back several. Appended to (*g.*).

(*k.*) 17 Nov. 1685. Cross Appeal of Edward Coke, as above. Fountaine had fomented the quarrel between John Coke and his father, and had, by collusion with Guavas, obtained possession of the securities of loans from Coke to Edward Goulding, Sir Robert Vyner, Edward Backwell, John Colvile, and Francis Meynell, pretending that these debts were included in a release to him by Coke. The Bill preferred by Coke's Trustees against Fountaine was disallowed as to part of these debts, and against that disallowance Petitioner appeals, as well as against the refusal of the Exchequer to grant a Sequestration against Fountaine. Prays that Fountaine and Guavas may be ordered to answer. L. J., XIV. 85.

(*l.*) 29 Nov. 1689. Petition of Andrew Founteyne for a day for hearing, and for stay of proceedings below. Petitioner had been prosecuted to a Sequestration pending the Appeal. L. J., XIV. 356.

(*m.*) 5 Dec. 1689. Several Answer of Edward Coke, as above, to the Original Appeal. The Decrees appealed from have not been prosecuted pending the Appeal. The moneys in litigation belonged to Coke. Prays to be allowed to bring in his Appeal.

(*n.*) 6 Dec. 1689. Petition of same for leave to amend his Cross Appeal, some things therein complained of being since redressed by the Court of Exchequer. L. J., XIV. 363.

(*o.*) Copy Order of the House on (*g.*), appended to preceding. L. J., XIV. 79. *In extenso.*

(*p.*) Copy Order of the House on (*k.*), appended to (*n.*) L. J., XIV., 85. *In extenso.*

(*q.*) 7 Dec. 1689. Amended Cross Appeal of same, identical with (*k.*), leaving out the part referring to the refusal of the Exchequer to grant a Sequestration. L. J., XIV. 364. [Endorsed as brought in 5th Dec.]

(*r.*) 7 Dec. 1689. Answer of Guavas to the original Appeal. Prays he may not be concluded by any act of the Petitioner's or of Mr. Coke's Agents till his papers are delivered to him to make his defence.

(*s.*) 13 Dec. 1689. Answer of Founteyne to Coke's Cross Appeal. Denies having fomented the quarrel between Coke and his father. Befriended Coke, and saved his life. Rentcharge granted him by Coke had been left unpaid. The loans were made on his own account, and not on behalf of Coke. [Brought in this day.]

(*t.*) 16 Dec. 1689. Petition of same for a month's time to prepare his defence, which had been delayed by his sickness, and that his papers may be returned to him. L. J., XIV. 372.

(*u.*) Certificate of Francis Ralph, Citizen and Surgeon of London, that Guavas is suffering from a fistula. Sworn 12 Dec. Appended to preceding.

(*v.*) 19 Dec. 1689. Petition of Founteyne to put off the Hearing, as he has had to engage another Solicitor, the former one, Mr. Masemore, having fallen down and bruised himself. L. J., XIV. 375.

(*w.*) 10 Jan. 1689–90. Petition of same, for further time to defend the Cross Appeal, and for the attendance of Mr. Watts as a witness, Petitioner being put, by Mr. Coke's Counsel's niceties, to prove things proved below. L. J., XIV. 408.

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(*x.*) 13 Jan. 1689–90. Similar petition of same, for the attendance of Peter Watts.

(*y.*) 25 March 1690. Petition of Edward Coke, as above, for a hearing of the Cross Appeal. L. J., XIV. 437.

(*z.*) 8 April 1690. Copy Order made this day. L. J., XIV. 455. *In extenso.*

(*aa.*) 9 April 1690. Petition of Founteyne to put off the hearing of the Cross Appeal, Appellant being sick and his Counsel out of town. *See* L. J., XIV. 457.

(*bb.*) 12 April 1690. Similar petition of same. *See* L. J., XIV. 462.

(*cc.*) 14 April 1690. Motion paper on behalf of Coke, to cancel stay of proceedings below against Founteyne. *See* L. J., XIV. 464.

127. April 5. L. Mohun's Bill.—Amended* draft of an Act to enable the Trustees of the manors and lands late of Charles, Lord Mohun *therein named*, to fell *and sell* timber, and to make leases for payment of his and his father's debts, and to raise a portion for his daughter. Charles, late Lord Mohun, on his marriage with Lady Phillips Annesley, settled upon the Earl of Anglesey, her father, the Hon. Altham and Richard Annesley, her brothers, and Sir John Francklin, the manors of Polroad, Boconnock, Bodmyn, Amelgreis, Bodinnick, Lantegles *juxta* Fowdy, Tregardock, Telcarn, Treskillard, Bocaron, Hendra Magna, Colland, Bawdo and Stickstenton, Penventinue, Tywardereth, the manor and borough of Poleriian, and the Barton and demesne of Boconnock, in Cornwall, and the moiety of the manor of Oakhampton, in Devonshire, and divers other lands in those counties, upon several trusts, by raising of moneys for payment of such debts of the said Lord Mohun and his father Warwick as were charged on the said manors, and for providing portions for the younger children of the marriage, not exceeding 4,000*l.* in all. These debts remain to a great extent unpaid; but the present Lord Mohun, an infant, will be much prejudiced if the estate is sold pursuant to the trust. The sale of the timber on the manor of Polroad and Boconnock and the Barton of Boconnock would suffice to prevent the other manors from being parted with. The powers of the trustees for making leases are found to be defective, and owing to the imperfect penning of the settlement, they are in doubt how to act in the trust for raising a portion for Elizabeth, the only daughter of Charles, late Lord Mohun. The bill therefore enacts *that Thos. Raymond, Serjeant-at-Law, be added as a trustee*, and that the trustees shall have power to fell and dispose of timber on the manors of Polroad and Boconnock and the Barton of Boconnock, and to make leases of parts of the estate for paying the said debts and providing the said portion. The trustees are further empowered to raise 4,000*l.* by lease, mortgage, or sale for the use of Elizabeth Mohun, to be paid her at her marriage or attaining the age of twenty-one, and till then 50*l.* a year *until she is ten years old, and* 80*l. a year from her tenth to her twenty-first year;* the money to go to the present Lord Mohun, if his sister die before marriage or the age of twenty-one. [Read 1ª this day. L. J., XIII. 499. Laid aside, after a first reading, in the Commons. C. J., IX. 600.]

Annexed:—

(*a.*) 21 April. Lords' Amendments in Committee, reported this day. L. J., XIII. 529. [The debts were stated to be 16,000*l.*;

* The words in italics show the additions made in Committee.

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the estate coming in being only 600*l.* a year and the interest on the debts 900*l.* a year. The Lady Phillips Mohun objected to the continuance of the trusts in her younger brother's hands after her father's death; and proposed that the bill might provide that, if she married, it should not be in her power to wrong the heir. Lord Anglesey said the debts were 14,000*l.* Com. Book, April 10, 12, 15, 16.]

128. April 6. E. Sunderland.—Certificate that the Earl of Sunderland, one of His Majesty's Principal Secretaries of State, had received the Sacrament, according to the usage of the Church of England. [Took the Oaths 19 May. L. J., XIII. 578.]

129. April 7. Robt. Hicks.—Information of (1) Eliz. wife of John Simons, of Woodstock, stating that on 24 March she heard Robert Hix say that the Lord Treasurer was hanged, and that on Informant replying "Not so, I hear he has the King's pardon," Hix answered "He has so, and his Majesty has made him a Marquess, and he will "show as honest or honester a face as any person that stickles against "him;" and (2) of John Simons, Constable of Woodstock, stating that Hix refused to go with him, as required, before the Mayor. Sworn 1 April before L. Lovelace and the Mayor of Woodstock. L. J., XIII. 502. [L. Lovelace offered the Informations to the House this day, and Hicks was discharged on his intercession. MS. Min., April 7 and 8.]

130. April 7. Popish Plot. (Five Lords in the Tower).—Articles of Impeachment against the Five Lords in the Tower, brought up from the Commons and read this day. *Parchment Collection.* L. J., XIII. 500. *In extenso.* *See also* No. **6**, note after Annex (*f.*).

131. April 8. L. Treasurer's Bill.—Draft of an Act for hindering the Lord Treasurer of England and other the officers therein named from making undue advantages of their Places. The bill (which has no preamble) enacts that all gifts, grants or leases of any lands, tenements, &c. either in possession, reversion, or remainder, and all grants, or gifts of any pension, or sums of money, or other profit whatsoever, which shall be made from the Crown to any Lord High Treasurer of England, Commissioner of the Treasury, Lord Lieutenant or other Chief Governor of Ireland for the time being, or to any person for the use of, or in trust for them, during their continuance in office (other than salaries and customary New Year's gifts and other perquisites) shall be utterly void and null. Any Lord High Treasurer, &c. procuring any such gift, &c. shall forfeit his office, and be incapable of holding any other office or place of public trust; and if he sell or, for any gratuity or benefit whatsoever, grant or dispose of any office within his gift or disposal, he shall not only forfeit treble the value of such price, gratuity, or benefit so received (the same to be recovered by action of debt or information in any Court, one moiety thereof to the Crown, and the other to the informer), but also shall lose his office and be incapable of holding any other office or place of public trust. [Read 1ª this day. L. J., XIII. 504. The MS. Min. of date have the following: "Proposed that a Bill be brought in with a penalty to prohibit any Treasurer or Commissioner of the Treasury to take any estate or sum of money, besides his salary from the King. That no office belonging to the Revenue may be sold. That a Bill may be brought in to hinder the Lieut. of Ireland from acquiring any estate by grant from the King, or selling any offices. The Earl of Essex hath leave to bring in a Bill for this purpose." The Committee, of whom E. Essex was Chairman, met on the 15th, and

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after reading through the Bill, adjourned till the next day. The Com. Book contains no further entry of proceedings. The Bill dropped in Committee, and was never reported.]

132. April 10. Crabb *v.* Fenton.—Petition and Appeal of William Crabb and Thomas Goldsmith, Merchants of Bristol. Petitioners and Richard Crabb, Alexander Gray, Henry Heynes, and Richard Fenton were joint owners of the ship "Rainbow" of Bristol, of which William Stafford was Husband. The "Rainbow" made three voyages to Virginia, and, after Fenton's death, his widow obtained a Decree in Chancery against Petitioners for her husband's share of the profits, after an award against her by arbitrators. On Review the Court declared that the first decree ought to be reversed, and referred the matter again to arbitration. Complain that the Decree ought to have been absolutely reversed and that Gray and Heynes ought to have been made parties. L. J., XIII. 515. [The appeal was heard on 17 Nov. 1680. Counsel for Appellant were *Sir John Churchill* and *Mr. Porter*, and for the Respondents the *Solicitor General* and *Mr. Hutchins*. MS. Min.]

Annexed :—

(*a.*) 9 May 1679. Petition of Elizabeth Fenton, widow, the Respondent, for further time to answer, and that the Appellants may give security. [Fenton to put in her answer when the trials are over. MS. Min. 9 May.]

(*b.*) 27 Oct. 1680. Petition of Appellants. Have given security in the amount of 1,000*l.*, but nevertheless Crabb had been arrested for non-performance of Decree. Pray that all proceedings since their security may be discharged, and further proceedings stayed.

(*c.*) 3 Nov. 1680. Answer of Respondent. The first award was obtained by surprise. *See* L. J., XIII. 632.

(*d.*) 8 Nov. 1680. Petition of Lancelot Appleby in behalf of Appellants for one week's further time. L. J., XIII. 655, almost *in extenso*.

(*e.*) Copy depositions of Abraham Wild, of Bristol, Ropemaker, John Jones, of Abbotts Leigh, Somersetshire, mariner; John Saunders, of Abbotts Leigh, Shipwright, Henry Bullock, of the city of Bristol, cooper, John Greene, of the city of Bristol, upholsterer, William Sparkes, of the city of Bristol, pump-maker, Richard Williamson, of the city of Bristol, notary public, taken, under a Commission out of Chancery, on 23rd April 1664, before F. Yeamans, Thos. Ellis, and E. Mathewes, and G. Deane. *Noted.* Examined 15 Nov. 1680 with the Record by me, Wm. Houghton. Also, Interrogatories administered to witnesses on behalf of Eliz. Fenton, widow. Subscribed and noted as above. [These and the following depositions were read at the hearing on 17 Nov. 1680. MS. Min.]

(*f.*) Copy depositions of Eliz. wife of Wm. Tasker, of Castle Hill, Pembrokeshire, Gent., and Thomas Freeman, of Sedberry, Pembrokeshire, Clerk, taken at Haverfordwest on 3rd Oct. 1664, under a Commission out of Chancery, before Thos. Davids and Roger Davids. Also, Interrogatories administered to witnesses on behalf of Eliz. Fenton, widow. *Noted* as preceding paper.

(*g.*) 29 Nov. 1680. Petition of Respondent, praying their Lordships to rehear the Appeal, or to explain their order of reversal. [Received this day. MS. Min. of date. No entry in L. J.]

133. April 10. Popish Plot. (Prisoners in Newgate).—List (pursuant to order of 27 March) of names of such persons as are desired

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by the close prisoners in Newgate, charged with the late conspiracy, may be admitted to them. The prisoners are Thos. White *alias* Whitbread, Richd. Langhorne, Senr., Richd. Langhorne, Junr., Thom. Jennison, Edw. Peters, James Corker, John Fenwick, Wm. Marshall, and John Smith. *Noted:* There are besides the prisoners before named, these persons following, who are likewise charged with the late horrid conspiracy, and are not kept close, viz., Anthony Bellenger, Wm. Rumley, Mark Freston, John Naylour. The Earl of Ancram was one of the two desired by Whitbread. [*Endorsed.* Brought in 10 April. No entry in MS. Min. For order of 27 March *see* L. J., XIII. 483.]

134. April 10. Popish Plot. (Sir Wm. Andrews).—Letter from Sir Richard Everard to the Duke of Albemarle. Has apprehended Sir Wm. Andrews, as directed by the Duke, and committed him to the Sheriff of the County, with orders to bring him to London, and the Sheriff's clerk assures him he shall be delivered up in London this night. Has also seized his papers, but has no instructions what to do with them. They are numerous, and he has not thought it right to inspect any of them without a written order from the Committee. But he has secured the room. Desires that Mr. W. Pent may be appointed to assist him, if directed to inspect the papers. Sir William, as a servant of his told him, sold the stock of his ground the night before his arrest. Begs for early instructions, as Sir William knows not yet the charge against him, and will therefore be the less diligent to recover his papers. Hopes their Lordships will instruct him to search and secure all suspected persons found in the house, for since bringing Sir William away, he is informed that a priest and two more Papists are gone thither as their safest refuge. *Dated* Chelmsford, 9 April 1679. [This day the Duke of Albemarle stated that Sir William Andrews of Essex had gathered money in the country, and was an agent against the King in the plot. On his motion the House then made the Order in L. J., XIII. 510. MS. Min. 10 April. On the 21st E. Clarendon reported from the Committee that he had been examined and confessed nothing, but they thought fit he should continue committed. On the 28th he reported further that Andrews had been before the Committee. MS. Min. April 21, 28.)]

135. April 12. Popish Plot. (J. Sidway).—Petition of John Sidway. Prisoner in the Gate-house, begging pardon for having very much misdemeaned himself through ignorance and the great surprise he was under when he appeared before so high and honourable an assembly, and praying for his release. L. J., XIII. 512. [On 5 April the Bishop of Ely complained in the House that Sidway had informed the Committee for Examinations that he had dissuaded him from being a Protestant (MS. Min. L. J., XIII. 499). Sidway on the 7th offered a sworn information to the House accusing of Popish leanings the Bishops of Gloucester, Bath and Wells, and Ely, the last of whom, he said, had advised him, two years before, not to turn Protestant. *Titus Oates* deposed that Sidway had been to his house, but had said nothing about Dr. Gunning, of whom deponent had never heard that he was inclined to Popery. Further evidence was given by *Richard Gastrell* to show that Sidway had never been to Rome, as he alleged. The three bishops spoke in their defence, the Bishop of Ely denying that he ever spoke to the Duchess of York, or had ever written to the Countess of Feversham or to Rome or to any Papist beyond seas. The House ordered that Sidway's information should not be entered on the Journals. This day, on the House reading Sidway's petition, the Bishop of Ely offered a letter from the Countess of Feversham to him of the 10th inst.,

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and desired that Sidway might be released. A letter from M. Feversham to Dr. Segwell was also read. (MS. Min., 5, 7 and 12 April. L. J., XIII. 502.) On 12 May the L. Chancellor acquainted the House that some of the House of Commons had sent for the examination of J. Sidway against the Bishop of Ely, which the House directed the Clerk not to enter nor make any copy of. Ordered that the Clerk continue the information in his custody, and not deliver it or any copy of it. (MS. Min.)]

136. April 16. Petition and Appeal of Francis Harvey, Gent. Complains of a Decree in Chancery ordering petitioner to pay 550*l.* arrears of rent and other sums in respect of the Manor of Bridgwater to Barbara Harvey, who held a rent-charge on the said Manor, granted her by Henry Harvey, in the reign of Charles I. Petitioner was ready to pay his proportion of arrears of rent due, but he was only one of several tenants. Prays their Lordships to hear the matter and reverse the decree. Endorsed with above date. No entry in L. J. or MS. Min.

Annexed:—

(*a.*) Copy of preceding.

137. April 17. E. Berks.—Writ of Summons, dated 16th April, to Thomas E. Berks, who took his seat this day. L. J., XIII. 527.

138. April 17. Dodington *v.* Williams.—Petition of Hester Dodington, widow and relict of John Dodington, Esq., and of George Dodington, their son. Sir Francis Dodington, Knt., being seised of the Manor of Dodington in Somerset, entrusted Christopher Dodington, and Abraham Williams, whom he made his steward, with the custody of his Estate, to save it from the Usurpers. After the death of her father-in-law, Sir Christopher, and her husband, Petitioner, who had a life interest in the Estate for her jointure, could not get from Williams the lands of Varnams Tenement and Chipplands Close and Meadow, and others, part of the Manor, he pretending he had leases of them, but refusing to produce them. She gave him Declarations in Ejectment, and he brought his Bill in Chancery against her, and obtained a Decree, against which Petitioner appeals. Prays that Williams may be ordered to answer. [*Endorsed* as brought in this day. Read 7 May, L. J. XIII. 556. Counsel at the hearing were *Mr. Cressett, Sir Robert Sawyer* and *Mr. Thompson* for Appellant, and *Sir John Churchill* and *Mr. Hutchins* for Respondent. MS. Min. 20 Nov. 1680.]

Annexed:—

(*a.*) 2 May. Certificate that the Appellant Hester and Theophilus Aylemer had entered into Recognizance in Chancery, in the sum of 100*l.*, to abide the Order of the House of Lords. *See* L. J., XIII. 557. [*Endorsed* as served on Mr. Muzgrave on the 3rd, and appended to (*c.*).]

(*b.*) Paper stating that the Appellant had given security, and praying that Williams should be ordered to answer, and for stay of proceedings in Chancery. [Appended to (*c.*).]

(*c.*) 7 May. Case of Appellants, substantially the same as the Appeal. L. J., XIII. 556.

(*d.*) 22 May. Answer of Abraham Williams. The Estate had been vested in Christopher Dodington and John St. Albon, as Trustees, to be sold for payment of the debts of Sir Francis, and Respondent had bought the lands in question for valuable consideration. A copy of his title had been shown to Appellant. *See* L. J., XIII. 630.

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(*e.*) 30 Oct. 1680. Petition of Appellants for a day for hearing. L. J., XIII. 630.

(*f.*) 18 Nov. 1680. Motion Paper, praying that the Record of the Dedimus and Caption may be brought from King's Bench, to show that Appellant never joined in the Fine, as alleged by Respondent. L. J., XIII. 676.

(*g.*) 29 Nov. 1680. Petition of Respondent, praying that his costs may be taxed in Chancery, and paid to him by the Appellants. [Received this day. MS. Min. of date. No entry in L. J.]

139. April 17. E. Dorset *v.* E. Pembroke.—Petition and Appeal of Charles Earl of Dorset and Thomas Hawles, Executor of Thomas Hawles, his father. King James granted the Manor, Chace and Warren of Alborne to Sir John Walter and others in trust for King Charles I. Walter assigned the Manor to Wm. Williams and others in trust for the City of London, but not the Chace. Charles I. granted the reversion of the Manor and Warren to Ditchfeild and others, also in trust for the City (excepting the Chace), under whom Philip Earl of Pembroke claims. The Warren did not pass to Williams, and the Earl of Dorset obtained a grant of it, and conveyed it to Hawles; but Lord Pembroke contended that the King intended to grant the Warren to the City, and obtained a Decree in Chancery ordering Lord Dorset to convey the Warren to Lord Pembroke, although the price the latter paid for the Manor could not have included the Warren. Petitioners appeal against the Decree. [Endorsed as brought in this day. No entry in Records.]

140. April 17. Cole *v.* Mordant.—Petition of Sarah Cole, widow and relict of Basset Cole. Almost identical with her Petition of 13 July 1678, Calendar, Ninth Report, No. **632.** [No entry in Records.]

141. April 17. Sir N. Stoughton *v.* Trustees of River Wey Navigation.—Petition and Appeal of Sir Nicholas Stoughton, Bart., Thomas Cate, alias Cawood, John Flood, and Abraham Bernard, of Stoke, next Guildford, Millers. Sir Nicholas owns three corn mills, one fulling mill and two paper mills at Stoke, which he let to the other Petitioners. By an Act of 1651 to make the River Wey navigable, it was connected with his mill-stream, and many disputes thereupon arose between the millers and the bargemen, who required the former to stop their mills, many hours at a time, to heighten the water. At length it became customary for the bargemen to pay certain rates to the millers. After the Act of 1671, which empowered the Trustees to set a low-water mark at each mill, the mark was set, at Petitioners' mills, as high as the high-water mark, formerly set by the Commissioners of Sewers, so that it is impossible to work the mills; and the millers were ordered by the Court of Exchequer to render an account of the aforesaid rates received by them. The Court of Exchequer then granted an attachment against Sir Nicholas on the plea that he had instigated certain evil disposed persons to damage the locks and banks of the river, which he denies; and he further takes exception to certain technical irregularities in the proceedings against him. Appeal against the Order for an account, an Injunction preventing them from using the water, and the Order of commitment against Sir Nicholas; and pray for a stay of proceedings below until the Appeal has been heard. [Endorsed as brought in this day. *See* L. J. XIII. 537.]

Annexed:—

(*a.*) 26 April. Petition of Thomas Tindale, Esq., on behalf of himself and others, the proprietors of the navigation upon the River Wey. Sir Nicholas had been taken in contempt of the

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Court of Exchequer, wherein he in a very high manner had used many triflings and delays. Prays that no order may be made on the Petition of Sir Nicholas until the matter has been heard by the House.

142. April 17. Barrett *v.* St. Leger.—Petition and Appeal of John Barrett, Esq. Complains of a Decree in Chancery in Ireland, of the 17th February 1678, awarding the manors, &c. of Rathduffe, Castlemore, and Magowley, &c. in the county of Cork, to the then plaintiff, John St. Leger, Esq., the Petitioner's uncle and guardian. States that the Lord Chancellor, who pronounced the decree, is related to plaintiff, and declared that nothing he had heard from the Judges could alter his opinion. Claims the said property as heir in tail of Sir Wm. Barrett, Knt., under a will made by him in 1672. [Dated 15th April, but read this day. L.J., XIII. 528. For proceedings at the hearing, *see* MS. Min. 20 June 1685. Counsel were *Mr. Cressett*, *Mr. Hutchins*, and *Mr. Porter* for Appellant, and *Mr. Rawlinson*, *Mr. Phillips* and *Mr. Williams* for Respondent.]

Annexed:—

(*a.*) 26 April. Answer of John St. Leger, Esq. The manors, etc. in question were held by Sir Wm. Barrett, not in estate tail, with remainders over in tail to petitioner, but in fee-simple. Petitioner ran away from Respondent, and chose a new guardian, the present Earl of Tyrone, and afterwards one Col. Maccarty, a relation of whom he married. Denies that he ever permitted Petitioner to receive the rents, &c. of the said manors, though Petitioner persuaded many of the tenants, who being Papists were inclined to favour him, to pay their rents to him instead of to Respondent. The lands alleged to have been entailed by Andrew, great grandfather of Sir Wm. Barrett, were in reality the inheritance of Katherine his wife, and were found by verdict of a jury not to have been entailed; and Appellant failed to show sufficient cause for a new trial. The Appeal is premature, as the matter is still pending in the Court below, on exceptions taken to the decree by the Appellant, and still undiscussed. Respondent is no relation of the Lord Chancellor, as alleged, and Sir Richard Reynell, so far from being counsel and judge in the cause, was a judge long before the suit was commenced. The statements to the contrary are scandalous aspersions. Signed H. Holt, Tho. Raymond, Edm. Saunders, Jo. Conyers. *See* L. J., XIII. 723.

(*b.*) 29 April. Reply of Appellant to preceding. His appeal is as well from the jurisdiction of the Court of Chancery in Ireland as from the decree of that Court. It is equally proper to appeal to the House from the irregular or dilatory proceedings of an inferior court, as from any judgment pronounced by such court. Cites Sir Nicholas Stoughton's Appeal as a case in point. Repliant is a Protestant, and only left Respondent from fear of being forced to marry his daughter, Respondent having made that a condition of his guardianship, showing that he knew the estate in question was entailed and belonged to Repliant. Prays a short day for hearing the cause on the point of jurisdiction.

(*c.*) 9 May. Petition of Appellant for an early day for hearing, and that proceedings may be stayed. [The Appeal to be heard when the trials are over. MS. Min. 9 May].

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(*d.*) 16 December 1680. Petition of Respondent. The proceedings below being superseded by the Appeal, Respondent has been kept out of the benefit of his decree. He was willing to have his title tried at Common Law, but is remediless there, for want of proof of the will under which he claims. Prays for an early day for hearing. L. J., XIII. 718.

(*e.*) Copy order of Court of Chancery in Ireland, dated 29 June 1680, staying proceedings, with copy affidavit on which the order was grounded. [Appended to preceding.]

(*f.*) 20 December 1680. Petition of Appellant. States proceedings on an action of ejectment in Ireland, brought by Respondent, whereby Petitioner is advised his Appeal is at an end. Prays their Lordships whether they will hear the Appeal, until the trial at law is over, and if so, for further time to prepare for the hearing. L. J., XIII. 723.

(*g.*) 30 November 1680. Certificate, signed and sealed by Luke Lowther, Mayor of Dublin. Appended to preceding Petition; and enclosing attested copies of proceedings in the cause as follows:—

(1.) 7 July 1680. Copy Order of Registry of Chancery. Signed Thos. Tilson, Registrar.

(2.) 6 Nov. 1680. Copy notes of the Court of date.

(3.) 6 Nov. 1680. Notice for trial in the Pleas Office of the Court of Exchequer. Signed Jer. Donovan. Original.

(4.) 10 Nov. 1680. Copy notes of said Court of date. Signed Tho. Tilson, Registrar.

(5.) 11 Nov. 1680. Copy notes of said Court of date. Signed Tho. Tilson, Registrar.

(6.) 13 Nov. 1680. Copy Orders of Pleas Office of Court of Exchequer of date. Signed respectively Scudamore Reily and Scudamore Donovan.

(7.) 23 Nov. 1680. Copy Order of Court of Exchequer of date. Signed Scudamore Donovan; and copy another order of said Court of 24 Nov., similarly signed.

(8.) 27 Nov. 1680. Copy Order of Court of Exchequer, of date. Signed Scudamore Reily.

(*h.*) 23 March 1680–1. Petition of Appellant for a day for hearing. The litigation has already cost him 4,000*l.* L. J., XIII. 750.

(*i.*) 23 March 1680–1. Petition of Respondent for the same object. L. J., XIII. 750.

(*k.*) 23 March 1680–1. Draft Order on above two Petitions. L.J., XIII. 750. *In extenso.* MS. Min. 26 March.

(*l.*) 25 March 1680–1. Petition of Respondent for the exemplification under the Great Seal of Ireland, of depositions taken *in rei memoriam.* L. J., XIII. 754.

(*m.*) 25 March 1680–1. Draft Order on above. L. J., XIII. 754. *In extenso.*

(*n.*) 2 June 1685. Petition of Appellant to revive Appeal, and for a day for hearing. L. J., XIV. 27.

(*o.*) 10 June 1685. Answer of Respondent to preceding. Is anxious that the Appeal should be heard, and deprecates any delay on the ground of the Appellant's papers being in Ireland. *See* L. J., XIV. 36.

143. April 17. Popish Plot (Weld House).—The Constable's bill of charges for watching at Wilde House from 27 March to 7 April.

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Signed Edm. Pusey. [On 5 Dec. 1678 *Samuel Barrow* informed the Committee for Examinations that a man whose name he knew not, told two women that his father, who was gardener to Justice Wild [Weld] in Lulworth Castle in Dorsetshire, knew of a great many arms that were hid underground there. On the 6th *Anne Warren*, over against the Windmill in Parker's Lane, was called in at Barrow's desire, and sworn before the Bishop of London as a justice of the peace. She says she knows Oliver Cheeke by sight. She heard him say that Justice Weld never goes into the country but he brings priests with him; that he has a brave chapel in his Castle, and has prayers there; and that he has arms in the Castle in chests, and that he wished he were worth half as much as the arms, but he would not discover them for 100*l.* *Thomas Reeves*, of Whitcomb's Court, near Panton Street, (sworn), says that being last night with Anne Warren, Oliver Cheeke, and their landlady, he heard Cheeke say that Justice Weld used to bring a priest or two with him into the country; that he has a fine chapel in his house; that he has prayers two or three times a day in it; that he has many arms in chests in his house, and wished that he were worth half as much as the arms that were there. *Oliver Cheeke* of Beare in Dorsetshire (sworn) says he has an uncle, gardener to Justice Weld. He knows of no arms in Lulworth Castle. Squire Weld set up a park, and it was commonly said in the country that arms and not deer were brought in the wagon. This was about six years since. Some of Justice Weld's servants, namely his uncle Oliver Cheeke, have told him that their master is a Papist. Confesses that he said before Anne Warren, when she said to him that she wished she knew of the arms in the said house that she might get 20*l.* by discovering them, he would not discover them for 100*l.* Says that in a room in the house, about four years since, he saw several chests full of arms. He has heard a servant maid in the house, called Nan, who has lived nearly twenty years with Justice Weld, say that her master used to bring a priest down with him, and he has heard some of the neighbours say that they have heard the priest preach in the Chapel. This deposition is drawn up and signed by himself. (Exam. Book 5 and 6 Dec.).—On 27 March 1679 the Committee reported against Humphrey Weld as a suspected Papist. (L. J., XIII. 482, 485). The MS. Min. supplement the remaining entries in the Journal as follows:—On 29 March E. Clarendon reports that in Mr. Weld's garden in a grotto are 27 chests of goods; that the chests have by order of the Committee been searched, and six of them are full of books, and three full of letters; the rest were not yet searched. *Mr. Bedloe*, being present, said that Don Pedro de Ronquillio, whose goods they are, was said, when Bedloe was in Spain, to be privy to the Plot. Don Pedro, who was present at the search, would not admit to have the letters perused; upon which the Committee are of opinion that they should be searched by Sir Timothy Baldwin, Sir Robert Southwell, Edmund Warcup Esq., and Mr. Blathwaite *and Mr. Hoskins,** who are to give an account to the House. This is ordered accordingly. (Comp. *ib.* 486). On 31 March, Sir Robert Southwell not being at leisure, the House agrees that the order may be to any three of them. (Comp. *ib.* 491). On 7 April the House, on report that the papers contained nothing relating to the Plot, ordered the watch to be discharged and rewarded. (Comp. *ib.* 502, 512). On 16 April, L. Roberts reports from the Committee that Mr. Weld being ordered to build a wall to prevent back avenues to his chapel at his house, has evaded and built a wall but left a door in it, whereby there will be as free access to the

* These words in italics are struck through.

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chapel as before. Ordered, That Mr. Weld be sent for in custody. (Comp. *ib.* 520). On the 17th Weld, after being heard at the bar, was discharged, (*ib.* 527)].

144. April 17. Trial of Peers Bill.—Amended* draft of an Act for the better regulating of the trial of the Peers of England. "For the more equal and indifferent trial of all the Peers of this realm in times to come, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, That when any person that now is or hereafter shall be a peer of this realm shall for any crime *for which he ought to be tried by his peers* be brought to his trial (a Parliament not [in being] *actually sitting*, the number of [forty] *one and fifty such* peers of this realm at the least, *who have sat in the last session of the last Parliament immediately before the trial*, shall be summoned to appear for that purpose, And that [four and thirty] *five and forty* of them at the least shall appear at such trial, and of those that do so appear the peer to be tried shall have liberty peremptorily to challenge and except against any twelve of them as he shall think fit, and by the remaining number of the said peers that do appear, or the major part of them, every peer so to be tried shall be acquitted or condemned. Provided always that, during the being of a Parliament, every peer that shall be brought to his trial for any crime shall be tried by the whole House of peers according to former usage and not otherwise, any law, custom or thing to the contrary in any wise notwithstanding." [Read 1ª this day, the original text being the amended bill of 13 Oct. 1675. (See Calendar 9th Report Nos. **203** and **290.**) Amended as above in Committee of the whole House on 23 April and 12 May, when the clause for challenging peers was, on question, retained. L. J., XIII. 528, 534, 569, and MS. Min. of dates. The Bill passed with protests on 14 May. (L. J., XIII. 572), but does not appear to have been sent to the Commons.]

Annexed:—

(*a.*) Lords' Amendments to the Bill. MS. Min., 23 April and 12 May.

145. April 20. E. Essex.—Certificate that Arthur Earl of Essex had taken the Sacrament according to the usuage of the Church of England. [Produced 17th May, when E. Essex took the Oaths. L. J., XIII. 576.]

146. April 20. L. Grey of Werke.—Similar Certificate for Ford, Lord Grey of Werke. [Produced 2 May, when L. Grey took the Oaths. L. J., XIII. 549.]

147. April 25. E. Danby's Impeachment.—Plea of Thomas, Earl of Danby, to the Articles of Impeachment. *Parchment Collection.* L. J., XIII. 537–540. *In extenso. See also* Nos. **74, 80, 103, 147.**

148. April 26. V. Conway.—Writ of Summons, dated 25 Jan. 1678–9, to Edward V. Conway, who took the Oaths this day. L. J., XIII. 541.

149. April 26. Whistler *v.* Wallis.—Writ of Error and Transcript of Record brought in this day. L. J., XIII. 542. *Parchment Collection. See also* No. **108.**

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* The additions are shown by italics, the omissions by square brackets.

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150. April 26. Papists in London (Baldwin).—License granted by the Council to William Baldwyne, of St. Giles-in-the-Fields, over 80 years old and very infirm, to stay in town together with his maid servant Anne Barnesly. *Dated* 10 Jan. 1678–9. *Endorsed* 26 April 1679.

151. April 26. Lady Portland's Recusancy.—Petition of Frances, Countess of Portland. No order had been made on her last Petition (*see* Calendar, Ninth Report, No. **499**), owing to the Dissolution, and since then Morrice Cole, her late Steward, who had over 1,000*l.* of her money in his hands, had pleaded her Indictment for Recusancy. Petitioner petitioned the King, who had promised her a pardon, and a Bill for that purpose had been drawn up, and only awaits a Docket, which the Commissioners of the Treasury will not pass without particular command. Prays the good offices of the House with the King, so that the Docket may be signed. L. J., XIII. 543, 546, and MS. Min. 29 April.

Annexed:—

(*a.*) 12 Feb. 1678–9. Copy Order in Council for preparation of the pardon above referred to. [Appended to preceding.]

(*b.*) 7 May. Report of the L. Privy Seal that he had obtained the King's pardon. L. J., XIII. 556. *In extenso.* At the foot is a certificate by Robt. Bird, Petitioner's Attorney, dated 12th May, of the proceedings taken by Morrice Cole. [Appended to (*d.*).]

(*c.*) 13 May. Copy of King's Warrant for the signing of the Docket. [Appended to (*d.*).]

(*d.*) 24 May. Petition of Lady Portland. The Commissioners of the Treasury refuse to sign the Docket, in spite of the King's Warrant. Prays the intercession of the House that the Docket may be dispensed with, that proceedings below may be stayed, and Maurice Cole and Thomas Farrer, his Attorney, may answer their contempt. [Read this day, and put off for ten days, it appearing that a Bill is under consideration very penal to all persons who shall have a hand in pardons for Popish Recusancy. MS. Min. No record in L. J.]

152. April 26. H. Killigrew's Privilege.—Petition of Henry Killigrew, one of His Majesty's Grooms of his Bedchamber, complaining of being arrested. Prays for an order for his release, and that the parties may be punished. L. J., XIII. 542.

Annexed:—

(*a.*) 30 April. Petition of Thomas Price, Milliner. Killigrew became indebted to petitioner in 1662 for 80*l.* for wares sold to him. Petitioner, after waiting in vain for payment, promised to abate 10*l.* if the residue were paid within a year, and accordingly Killigrew gave him a bond for 70*l.* Petitioner, still not being paid, petitioned the Lord Chamberlain of the Household for leave to proceed at law, but his Lordship declined to allow him without the King's express order. Thereupon petitioner petitioned the King, and on 9 June 1676 his Majesty in Council ordered Petitioner to apply once more to Killigrew for payment, and gave him leave, in case he failed to get the money, to take his remedy at law. Petitioner applied again to Killigrew, but in vain, and thereupon arrested him, and recovered a judgment against him, which, upon a writ of error by Killigrew, was afterwards affirmed in King's Bench; but Petitioner forbore to sue out execution at the earnest request of Killigrew, who promised

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to pay 100*l.* by September last. This promise he has never kept, and Petitioner, being in extreme want, was forced to take out execution, but failed to arrest Killigrew till 26 April last. Killigrew in his petition for release pretended untruly that he was taken without leave, and withheld the facts from the House. Prays that he may have the benefit of his execution against Killigrew, and that his Attorney may be discharged of contempt. The second page contains a copy of the Order of the Privy Council referred to above. L. J., XIII. 547.

(*b.*) 8 Nov. 1680. Petition of Essex Strode, Esq., High Bailiff of the Liberty of Westminster. Petitioner, in obedience to their Lordships' order of 26 April 1679, set Mr. Killigrew at liberty. For so doing, he has had an action of escape brought against him by Price, and judgment has been entered against him for 164*l.* debt and costs. He has also had to spend more than 80*l.* in writs of error to stave off being clapped in prison. Prays for relief. L. J., XIII. 654.

(*c.*) Affidavit of same, in support of his petition, and appended thereto. Sworn 29 Oct. 1680.

(*d.*) Copy Order of the House of 26 April 1679.

153. April 27. Duke of York.—Commons' resolution concerning the Duke of York. C. J., IX. 605. L. J., XIII. 544. *In extenso.*

154. April 27. E. Bridgewater.—Certificate that John, Earl of Bridgewater, had taken the Sacrament according to the usage of the Church of England. [Produced 28 April, when he took the Oaths. L. J. XIII. 543.]

155. April 27. L. Chancellor Finch.—Similar Certificate for Heneage, Lord Finch, Lord Chancellor. [Produced 28 April when he took the Oaths. L. J. XIII. 543.]

156. April 28. L. Windsor.—Writ of Summons, dated 25 Jan. 1678–9, to Thomas Windsor, Chr, who took the Oaths this day. L. J., III. 544.

157. April 28. Papists in London (Legge).—Copy Licence granted by Council to Mrs. Elizabeth Legge to stay in town, she being very weak and sickly. She and her servant lodge in Berey Street, next door to the sign of the Dolphin in St. James' Fields. *Dated* 14 Jan. 1678–9. *Endorsed* 28 April 1679.

158. $\frac{\text{Ap. 28}}{\text{May 26}}$. Oaths Roll.—Roll of Lords who took the Oaths, pursuant to Test Act of 1673, between April 28 and May 26. *Parchment Collection.*

159. $\frac{\text{April 28}}{\text{May 26}}$. Test Roll.—Roll of signatures of Peers to the Declaration in the Test Act of 1675 between April 28 and May 26, 1679. *Parchment Collection.*

160. April 29. Papists in London (Caryll).—Petition of John Caryll, the elder, of Harting, Sussex, Esq. Petitioner obtained a licence of the Privy Council on 24 March to stay in town for one month, on account of his sickness. Prays for a farther licence, being still very weak and unable to remove. L. J., XIII. 546.

Annexed:

(*a.*) 24 March 1678–9. Licence of the Privy Council, signed by L. Chancellor Finch, E. Northampton, M. Worcester, E. Ailes-

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bury, E. Craven, V. Newport, and Sir John Nicolas. Appended to preceding.

(*b.*) 28 April.—Certificate of the doctor, T. Short, that J. Caryll is unable to remove.

161. April 29. Papists (Removal from London, &c.) Bill.—Lords' Engrossment of the Bill, as returned from the Commons. Identical with No. **119** as amended in Committee. *Parchment Collection.* [The Bill was ordered to be engrossed this day. L. J., XIII. 545.]

Annexed:—

(*a.*) 22 May. Commons' amendments to the Bill. (Five papers.) Those not merely verbal are as follows:—*Preamble*, "any" is left out before "Popish Recusants."—*Clause* i. July is substituted for June, and 20 miles for 10 miles. Instead of "until conformity," read "until he or she shall have done and performed the things hereafter by this Act directed and appointed for evidence of his or her conformity to the Protestant religion by law established."* At the end of the Clause a penalty is added of six months imprisonment and disability to sue, *such disability to be established by motion, verified by affidavit, or by plea.*—*Clause* ii. The license is to be from six or more Privy Councillors, upon some urgent occasion to be therein expressed, and for only 30, instead of 40 days in any one year, and to be filed in the office of Petty Bag, and not more than 5*s.* to be paid for it; and the names and addresses of licensed Recusants resorting to London are to be given also to the minister of the parish. The penalty is extended to persons failing to carry out these provisions. One imparlance is allowed.—*Clause* iii. The oaths and subscription must be recorded, and for further evidence of conformity, proof by two witnesses is required of having attended Church for six months previously, and having once at least taken the Sacrament. The words "until again indicted or convicted of recusancy" are left out.—*Clause* v. All after "householders" is left out.—*Clause* vi. The provisions, as regards the Inns, are restricted to members being in commons or residing therein; and Michaelmas is substituted for Easter.—*Clause* vii. August is substituted for July. Recusants are disabled from voting for members of Parliament, and from exercising any office by deputy. The provisions of the Clause are extended to the Protestant husband of a Recusant wife, unless he educate his children as Protestants. The disability to act as guardian, etc., which forms part of the penalty in the Clause, is left out, obviously as superfluous. The disability to sue is to be established by motion, verified by affidavit, or by plea.—*Clause* viii. The penalty is given to the churchwardens for the poor and impotent of the parish, and a disability to sue for three years is added. No servants are to be reputed Popish recusants, who can produce the certificate of any justice that they have taken the oaths, etc.—*Clause* ix. The provisions are extended to children "remaining" in foreign seminaries; and the two dates are altered to 1st September.—*Clause* x. Evidence of conformity is required as specified above.—*Clause* xi. The date is altered to 1st September.—*Clause* xiv. This clause is altered by omitting the requirement from Protestant Dissenters to take the oaths in addition to making the declaration, and by making the original words of the clause apply only

* Effect is given to this amendment in Clause x.

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to disabilities. With regard to penalties and forfeitures, an amendment adds that if any Protestant Dissenter, who has been, or shall be presented, indicted, or convicted of Recusancy, or prosecuted for any offence in the Statutes made and intended against Papists, shall at Quarter Sessions make, subscribe, and audibly repeat the declaration in the Test Act of 1678, and two witnesses shall swear that he is reputed a Protestant Dissenter, and not a Papist or Popish Recusant, a certificate thereof shall free and acquit him from all pending prosecutions and previous convictions and restore him to his property, and all judgments, forfeitures, etc. standing against him shall be vacated on record without fee.—After *Clause* xv. the following clauses are added:—*Clause* xvi. Provided that this Act shall not extend to vest in any person any advowson, presentation, nomination, collation, or donation of or to any church benefice, prebend, or ecclesiastical living or donative, with or without cure, or any mastership of any college, school, or hospital whatsoever of or belonging to any Popish Recusant during conviction, but the same shall be vested in the Chancellor and scholars of the respective Universities, as appointed by the Act of 3 James I. for preventing and avoiding dangers that may arise by Popish Recusants.—*Clause* xvii. If any justice, constable, or other officer shall wittingly omit to do his duty in the execution of this Act, or if any churchwarden, after notice given, shall refuse or neglect to inform against, present, or prosecute any person whom by this Act he ought to prosecute, every such offender, if a justice, shall forfeit for each offence 100*l.*, and if a constable, churchwarden, or other officer, 5*l.*, to any person suing for the same within six months after the offence.—*Clause* xviii. Any person prosecuted for anything done in pursuance or execution of this Act may plead the general issue, and the plaintiff, if he be nonsuited or forbear further prosecution, or verdict pass against him, shall pay treble costs to the defendant. [The engrossed Bill was returned from the Commons on 22 May, with these amendments (C. J., IX. 625–6; L. J., XIII. 584), which, being many, were referred to a Committee to give an account how they stand, and the coherence thereof (*ib.* 588). The Committee examined the amendments on 26 May (Com. Book), and reported them by Lord Wharton the same day, together with an additional proviso (Annex *d.*) exempting Lord Dunbarton. The House, on this report, proceeded to consider the amendments. That in Clause v. and the portion of the one in Clause i. printed above in italics, were disagreed to. Those in Clauses i. and iii. relating to evidence of conformity were postponed. (MS. Min. 26 May). The remainder down to the end of Clause vii. are noted marginally on these papers as agreed to. The House does not appear to have gone beyond Clause vii., and no further proceedings are found on the Bill, which finally dropped with the Prorogation.]

(*b.*) 24 May. Petition of George, Earl of Dunbarton. Sets forth that, a standing regiment in France having for some ages past been established in Petitioner's family, Petitioner, on the death of his brother, who was killed at the head of it, was sent for, when very young, to France, and bred in that Court, and in due time had command of the regiment, and has since been made a Lieut.-General in the French army, with pay and pensions of above 5,000*l.* per annum. Nevertheless, on learning his Majesty's

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pleasure for his leaving the French service, he brought his regiment to England, where they did good service at Chatham during the first Dutch war, as also last year. Having refused the French King's offers to stay, he has debarred himself from any favour or advancement in that Court, and has no place where he can expect honourably to subsist except in England. Prays to be exempted by name from the bill. L. J., XIII. 588. Com. Book 26 May.

(*c.*) 24 May. Draft order referring preceding Petition to the Committee appointed to consider the Commons' amendments to the Bill. L. J., XIII. 588. *In extenso.*

(*d.*) 26 May. Parchment proviso allowing George, Earl of Dunbarton, to remain in London, on giving security to live peaceably, he having, in obedience to the King's command, quitted a service of great honour and profit under the French King. [Ordered to be reported this day by the above Committee. Com. Book of date.]

162. April 29. Drake's Act.—Amended draft of an Act to confirm certain leases made by John Drake and others, and to enable Sir Francis Drake to make a jointure, and raise portions for his daughters and younger children. The only amendment of importance is the proviso, added in Committee, relating to the manors of Newhouse and Sherford. [Read 1ª this day. Royal Assent 9 May. L. J., XIII. 545, 561. 31 Car. II. c. 1. in List of Private Acts 8ᵛᵒ. *See also* Com. Book 2 and 6 May.]

163. April 30. Habeas Corpus Act.—Lords' Amendments to the Bill for the better securing the liberty of the subject, and for prevention of imprisonment beyond the seas. They are embodied in the portions of the Act set forth, so far as is necessary, below; the additions being shown by italics, the omissions by square brackets. The references or the paper of amendments are, as usual, to the original Roll; those below are to the Folio Edition of the Statutes:—

§ i., l. 14, sqq. As aforesaid (unless the Commitment aforesaid were for Treason or Felony plainly *and specially* expressed in the warrant of Commitment) [at the charge of the party who requireth or procureth such writ] *upon payment or tender . . . . . twelve pence per mile.**

l. 19. Of this present Act, *and that he will make no escape by the way*, make return . . .

§ ii., l. 1., sqq. *And to the intent . . . . . awards the same.* And if any person . . .

l. 12. (3 Press, 9 line of Roll.) Authorised and required, *upon request made in writing* by such person or persons, or any in his, her, or their behalf, *attested and subscribed by two witnesses who were present at the delivery of the same* to award . . .

l. 21. Of them *before whom the said writ is made returnable, and in case of his absence before any other of them*, with the return of such writ and the true causes of the commitment and detainer, and thereupon *within two days after the party shall be brought before them*, the said Lord Chancellor . . .

* This amendment was proposed by C. Justice North, and agreed to by the Select Committee, on 21 April (Com. Book of date).

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l. 26. (4 Press, 3 line on Roll) . . . when the offence was committed, *or in such other Court where the said offence is properly cognizable,** as the case shall require . . .

l. 32. . . . . is detained upon a legal process, *order, or warrant* [out of some Court that hath jurisdiction of criminal matters, or by some warrant signed and sealed with the hand and seal of any of the said Justices or Barons, or some Justice or Justices of the Peace] for such matters . . .

§ iii. *Provided always . . . . . in pursuance of this Act.*†

§ v., l. 5. (5 Press 33 line on Roll.) by Recognizance to appear or other Court [of Record] having jurisdiction of the cause, and if any other person or persons shall knowingly *contrary to this Act*‡ recommit or imprison . . .

§ vi., l. 2. . . . treason or felony plainly *and specially* expressed in the warrant . . .

l. 3. Here and elsewhere in this section the words "*of Oyer and Terminer*" are added.

§ vii. *Provided always . . . . for such other suit.*

§ viii., l. 2. . . . . in custody of any officer or officers whatsoever *for any criminal or supposed criminal matter* that the said person shall not be removed from the said prison and custody into the custody of any other officer or officers unless it be by Habeas Corpus [aforesaid] or some other *legal* writ [issuing from one of his Majesty's Courts at Westminster] or where the prisoner is delivered to the Constable or other inferior officer, to carry such prisoner to [the] *some* common Goal, *or where any person . . . . . infection or other necessity*, and if any person or persons shall after such commitment aforesaid make out and sign or countersign any warrant or warrants for such removal aforesaid *contrary to this Act*, as well he that makes . . . .

§ xi. And for preventing illegal imprisonments in [secret] prisons beyond the seas . . .

l. 6 sqq. . . And that every *such* imprisonment [contrary to this Act] is hereby enacted and adjudged to be illegal, and that if any [one] of the said subjects [who] now is or hereafter shall be *so* imprisoned [contrary to the true intent and meaning of this Act] every person and persons so imprisoned shall and may for every such imprisonment *maintain* by virtue of this Act [maintain] an action or actions of false imprisonment in any of his Majesty's Courts of Record against the person or persons by whom he or she shall be *so* committed . . . . . and the Plaintiff in every such action shall have judgement to recover his treble costs [and] *besides* damages; . . . . In which action no delay, stay, or stop of proceeding by [non vult ulterius prosequi, non pros.] rule, order, or command, nor no injunction, protection, or privilege whatsoever, *nor any more than one imparlance*, shall be allowed, *excepting such rule of the Court, wherein the Action shall depend, made in open Court as shall be thought in justice necessary for special cause to be expressed in the said rule;* and the person or persons who shall *knowingly* frame, contrive, seal, or countersign any warrant for such

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* This amendment, when first proposed in the Select Committee, added the words "and depending" (Com. Book 21 April).

† This additional proviso, as first proposed in the Select Committee, ran as follows:—"If any man shall have wilfully neglected by the space of two whole terms to bring a Habeas Corpus for his enlargement, such person so wilfully neglecting, shall not in vacation time have any benefit by this Act." (Com. Book 21 April.)

‡ This amendment is on 5 Press, 35 line, of the Roll.

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commitment, detainer, or transportation, or shall *so* commit . . . . . or be any ways advising, aiding, or assisting therein, *being lawfully convicted thereof*, shall be disabled from thenceforth [to make any gift, grant, or conveyance or other disposal of any of his lands, tenements, hereditaments, goods, or chattels, or to take any benefit of any gift, conveyance, or legacy to his own use, or*] to bear any office . . . .

§ xii. *Provided always . . . . renounce such contract.*†

§ xiii. Provided always . . . that if any person or persons lawfully convicted of any felony [within clergy do consent] *shall in open Court pray* to be transported beyond the seas [or if any person attainted of felony shall obtain his Majesty's pardon under condition of transportation beyond the seas that] *and. the Court shall think fit to leave him or them in prison for that purpose*, such person or persons may be transported into any parts beyond the seas, this Act or anything therein contained *to the contrary* notwithstanding.

§ xiv. Provided . . . . . that nothing herein contained shall be deemed, construed, or taken to extend to the imprisonment of any person before the first day of [this present Session of Parliament] *June, One thousand six hundred seventy and nine*, or to anything . . . .

§ xv. Provided also that if any person or persons at any time resiant in his realm shall [commit] *have committed* any *capital* offence in Scotland . . . . .

§ xvi., l. 3. . . . wherein the offence was committed [or] *in case the party grieved shall not be then in prison, and if he shall be in prison, then within the space of two years* after the decease of the person imprisoned, or his or her delivery out of prison, *which shall first happen.*

§ xvii. is here added, as in the Act.

§§ xix. and xx. are added.

[Reported from C. W. H. this day, L. J., XIII. 548. The appointment of a Select Committee was agreed to on the 17th, on debate of the first clause, after adopting the title and preamble (MS. Min.). The Com. Book of 21 April notes "The Bill to be made not perpetual, but probationary for a term of years." The above amendments were made by the Select Committee, except in two instances, on April 21, 23, 25 and 26 (Com. Book of dates), and agreed to by the Commons on 3 May, except where specified in next paper (C. J., IX. 610, 611.)]

Annexed:—

(*a.*) 3 May. Commons' Amendments to Lords' Amendments with Lords' Resolutions upon them marked thereon. The Commons' Amendments are as follows:—

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* This amendment was made after debate in C. W. H., upon report of the other amendments from the Select Committee (MS. Min. 28 and 30 April). On consideration of this section the Judges were ordered to consider the clauses of incapacities therein, and it was resolved that nothing in the heavy penalty of incapacity should affect the Bill in general; that the penalty against the tenor of the Bill should be treble costs and 500*l.* and incapacity for the second offence, and that the penalties should be several and distinct as to the several parts of the Bill. On the 26th a memorandum was entered to report some difficulty occurring at the Committee concerning the severity of penalties and incapacities, and the want of the words "suspicion of felony" (Comp. § xx.) in the enumeration of crimes, (Com. Book 21, 26 April). The words in square brackets above are erased on the Roll (Press 9, line 24, sqq.), but are here supplied from the Bill of 1673–4 (Calendar 9th Report, No. **161.**)

† On 21 April the Select Committee ordered that provision be made for contracts for plantations, and on the 23rd C. J. North offered the above proviso, which was agreed to on the 25th (Com. Book).

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(1.) Amendment in § ii., l. 12 (Folio Ed.) agreed to with the addition of the words "by such person —— or their behalf." (2.) That in l. 28 not agreed to. (3.) That in l. 32 not agreed to. (4.) That in § v. l. 5 not agreed to. (5.) The other in same § not agreed to. (6.) The last amendment in § xi. not agreed to. (7.) The substitution of "be indicted and legally accused of" for "commit" in § xv. not agreed to. (8.) The addition of the words "capital" and "alleged to be by him or them committed" in same § not agreed to. (9.) The addition of § xvii. agreed to, but with the addition of § xviii., C. J., IX. 610, 611. [Delivered at the Conference this day, and reported to the House on the 5th (L. J., XIII. 552, 554). The report was postponed this day, some of the reporters desiring they might have time "to recollect themselves" (MS. Min. 3 April). On consideration of the Commons' Amendments on May 5, 8, and 9, the Lords agreed to (1), but insisted on (2), (3), and (4). On debate of (2) on 8 May, the Judges were asked this question, whether when men are brought into the King's Bench by Habeas Corpus, the Judges are bound to remand the parties to the Courts where the cause is properly cognizable. C. J. Scroggs said it was so in criminal cases. The Lords agreed to (5) and to (6) on condition of a Proviso for the Peers being admitted (Annex (*c*.) below). (7) was agreed to by the Lords, reading "have committed" for "commit." On consideration of (8), they insisted on the word "capital," but agreed to leave out the rest. (9) was agreed to. (MS. Min. of dates).]

(*b*.) 3 May. Commons' Reasons for disagreeing to the above nine amendments of the Lords. C. J., IX. 611. *In extenso.*

(*c*.) 8 May. Proviso, as follows:—Provided always and be it enacted That no Peer of this realm shall be tried for any offence against this Act but by his Peers. [Proposed by the Lords this day as the condition of agreeing to Amendment (6) in Annex (*a*.)]

(*d*.) 9 May. Lords' Resolutions on the Commons' Amendments (Annex (*a*)) and reasons for insisting. L. J., XIII. 562 and C. J., IX. 617, both *in extenso.*

(*e*.) 22 May. Note of Commons' Amendments not agreed to by the Lords, being Nos. 2, 3, 4, and 6 in Annex (*a*). They comprise the four amendments left still in dispute. *See* C. J., IX. 623–24. [Reported from the Conference this day. L. J., XIII. 584 and MS. Min. of date.]

(*f*.) 24 May. Note of Lords' Resolutions on the four amendments in preceding. An outline of Lords' Amendments this day, as set out in L. J., XIII. 589. *In extenso.*

(*g*.) 24 May. Proviso relating to the jurisdiction of the King's Bench and other Courts. L. J., XIII. 589. *In extenso.*

(*h*.) 24 May. Paper containing rough draft of preceding proviso, with another proviso to the same effect, as follows:—Provided that every Court shall and may still exercise the same jurisdiction as the said Court might lawfully exercise before the passing of this Act.

(*i*.) 24 May. Lords' Amendments made this day. L. J., XIII. 589. *In extenso.*

(*k*.) 24 May. Copy of preceding.

(*l*.) 26 May. Commons' resolutions on Lords' Amendments. They agree to No. 2 (Annex (*a*) above) as originally proposed by the Lords, leaving out the proviso (Annex (*g*)) proposed, as an alternative, by the Lords. With regard to (3), the second

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point in dispute, they agree to the proposal of the Lords made on 24th (L. J., XIII. 589). With regard to the next and the last points, (4) and (6), they agree to the original proposals of the Lords, leaving out the proviso for the Peers (Annex (*e*) above). [Resolved by the Commons this day (C. J., IX. 634), and reported from the Conference on the 27th. L. J., XIII. 595.]

(*m.*) 27 May. Journal entry of the L. President's report of the Free Conference this day. L. J., XIII. 595. *In extenso.* [It appears from the MS. Min. that on a division this day on the question whether the Free Conference shall be given presently, it was resolved in the affirmative by 57 votes to 55 In the printed Journal and MS. Min. only 107 peers are entered as present this day. In the previous division this day, viz^{t} on the question of insisting on the votes concerning the Bishops the numbers in the division appear as 65 and 36, or 101 in all, the total being added up in the MS. Min. contrary to what is done elsewhere in the book, whenever the numbers are given. These details are noticeable in connection with the curious story related by Burnet, Hist. Own Time, i. 485.]

164. April 30. King's Speech.—Draft of King's Speech this day. Two papers. L. J., XIII. 547. *In extenso.*

165. April 30. L. Chancellor's Speech.—Draft of the Lord Chancellor's speech this day L. J., XIII. 547. *In extenso.*

166. May 2. L. Manners.—Writ of Summons, dated 30 April, to John Manners de Haddon, Ch^{r}, introduced this day. L. J., XIII. 548. *In extenso.*

167. May 2. E. Anglesey's Privilege.—Deposition of Bryan Wade that yesterday being sent by Lord Anglesey to Turnstile Tavern, where he was informed a servant of his Lordship, named Mr. Fenn, was under arrest, he found Fenn there, who told him that he was arrested at the suit of Sir George Carteret; that on showing Lord Anglesey's Protection produced to deponent by Fenn, to the bailiff Robert Bedham, the latter answered that he could not discharge the prisoner, whatever damage came to him, for Sir George had promised to bear him harmless, no matter what Protection Fenn might produce. L. J., XIII. 550. [Wade and G. Robinson gave evidence this day at the bar. Fenn was cash-keeper to Sir G. Carteret. MS. Min. of date.]

168. May 2. Popish Plot (Coulster, Sanders).—Draft entry of proceedings this day relative to Coulster and others, vizt., Daniel Coulster and John and Christopher Sanders confessed at the bar that they came from the Jesuits' College at St. Omers; that Christopher Sanders goes also by the names of Wadsworth and Townley; Daniel Coulster by that of Gifford, and Henry Hall, *alias* Fall, by those of Sanders and Palmer. Being asked why they went by these general names, Gifford answered that it was the will of their Superior Father Thomas Stapleton; and they all denied being in Orders. Oates, being then called in, said he knew them at St. Omer, but did not know that they knew anything of the design here; but they being, at his desire, asked what they knew about the Consult held here, Gifford said they heard of it, and that it was to be held in May in their Style, but they knew not where, but supposed it was to be in London. Then they were commanded to withdraw, and were by order discharged out of prison. L. J., XIII. 550. [Found pinned in MS. Min. Book of date, where the contents of this paper are

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entered, with a marginal note "Lords witnesses discharged out of the Gatehouse." *See also* No. **6** Annex (*aa*).]

169. May 2. Bishops voting in Capital Cases.—Draft Order for the House to consider on Monday next whether the Lords Spiritual are to vote in Judicature, in cases of Blood, or upon Bills of Attainder. L. J. XIII., 549. *In extenso.* *See also* No. **6**.

170. May 2. Countess of Powis' Privilege.—Petition of Elizabeth, Countess of Powis, complaining that about 20 persons came to her house in Lincoln's Inn Fields about midnight, with staves and halberds, raised her servants out of bed, and forced them to give in their names, and would have arrested them had not Petitioner undertaken they should be forthcoming this morning. Prays the protection of the House. L. J., XIII. 550.

Annexed:—

(*a*.) 3 May. Draft order requiring the persons complained of, to appear. L. J., XIII. 552. *In extenso.* [E. Craven reported this day that what had been done had been by Order of Sessions, and not of Deputy Lieutenants. MS. Min.]

(*b*.) 5 May. Draft order directing the offenders to beg the Countess's pardon. L. J., XIII. 554. *In extenso.*

171. May 2. Seamen prisoners in Algiers.—Petition of the wives and relations of several hundred seamen, his Majesty's good subjects, now in Algiers in slavery. Petitioners' relations have many of them been miserable slaves for 18 months, being taken before any war known. Others were taken, being by stress of weather forced from under the convoys of his Majesty's ships, and the rest taken in thirteen Virginia ships, even at the mouth of the Channel. Petitioners are all poor persons, and ready to perish for want of the income they reaped from their husbands; while they, poor souls, who have done his Majesty faithful service in all the late wars, endure the hardships of Turkish cruelty. Pray their Lordships to consider some expedient for the speedy ransom of petitioners' relations. Undersigned are the names of several churchwardens and constables, who verify the truth of the Petition. L. J., XIII. 550.

Annexed:—

(*a*.) List of English seamen (161) captives in Algiers. Appended to preceding.

172. May 2. L. Widdrington's steward.—Petition of the Trustees and Executors of the late Lord Witheriugton [Widdrington] and his children, praying their Lordships' order for Mr. Robert Grey of Congleton, Warwickshire, to travel into Buckinghamshire and Lincolnshire for three months for receiving rents, &c., for the family. Signed R. Widdrington. L. J., XIII. 549.

173. May 2. D. Norfolk's Bill.—Amended draft of an Act for the vesting some of the manors and lands of the Duke of Norfolk and Henry, Lord Mowbray, his son, in trustees for the satisfaction and payment of debts and the annuities charged on their estate, raising a portion for the Lady Frances Howard, rebuilding Norfolk House, and continuing the residue of the manors and lands (after the trusts performed) with the Dukedom of Norfolk. The preamble recites that the family estate, which was plentiful when the Act (12 Car. II.) was passed for restoring Thomas, then Earl of Arundel, to the Dukedom of Norfolk, is already much impaired by sales, and the residue loaded with debts, annuities,

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and rent-charges, under colour of which further sales are daily endeavoured, to the intent to turn the ancient estate into money for making new purchases but not for discharging the debts; by which means and by the settlements made in favour of the present Duchess and her children, a great estate is designed to be raised for her and her issue to the injury of the heirs male on whom the dignities will descend. The Duke has made sales of great part of the estate, being about 3,000*l.* a year, which under the agreement made on his marriage with Lady Anne Somerset, mother of Lord Mowbray, ought to come to Lord Mowbray after his father's death; and has charged part of the rest with annuities, so that there is not more than 1,100*l.* a year of that estate clear, which the Duke has intended for the advancement of the Lord Thomas, Lord Mowbray's brother. Upon the marriage agreement between Lord Mowbray and his lady, the Duke promised that the Norfolk and Suffolk estate should be settled on Lord Mowbray for his life, and to his issue male in tail; but he has not performed his promise, and insists that, by reason of a clause in the Statute of Frauds, he is not judicially bound to its performance. Lord Mowbray is contented to confirm the sales already made by the Duke of the estate, which, by his mother's marriage agreement, he is entitled to, and to confirm the settlement of Worksop on his brother Lord Thomas Howard, and to accept the residue of the estate with the charges thereon, (which ought to have been free), so that a settlement may be made as proposed in the Bill, by which the Duke's present yearly revenue will not be impaired; for the interest money, annuities and incident charges equal, if not exceed, the present yearly revenue of the lands proposed to be settled, which estate, so settled, will not be an equivalent to that which Lord Mowbray had a right to by the marriage agreement, when certain trusts are performed, although Lord Mowbray divested himself of the Glossop estate in Derbyshire, near 3,000*l.* a year, to preserve the Norfolk estate. In the late Act concerning Arundel House no care was taken for reserving any rent for such houses as should be built upon the gardens, tofts, and waste grounds, nor to enact that a mansion house should be rebuilt, although the preamble shows it was intended that the mansion house should be built by the increased rents, and that afterwards those increased rents should remain to the heirs male of the Duke. Since the last-mentioned Act the guardians of the then Duke have leased the capital messuage and the grounds, &c. thereto belonging, for sixty years, under the ancient yearly rent of about 400*l.*, to the present Duke, who has wasted and pulled down the capital messuage, and by sub-letting the ground for building leases, has increased the rents to about 1,600*l.* a year; all which increase he endeavours to appropriate to himself, contrary to the true meaning of the Acts, and has only laid part of a foundation of a capital messuage, but desists from finishing it. Wherefore Henry, Lord Mowbray, together with Charles, Earl of Nottingham, James, Earl of Suffolk, Thomas, Earl of Berkshire, Edward, Lord Howard of Morpeth, William, Lord Howard of Escrick, and several others related to that family, pray that it may be enacted that every estate, for life, in tail, or otherwise, of any of the honours, manors, lands, &c. (by this Act intended to be settled), as also all rent-charges, annuities or incumbrances on the estate, already made by the present Duke or his trustees upon his duchess or any younger child or any other persons whatever, shall be deemed null and void to all purposes other than what are established by this Act; And for the more speedy payment of debts, annuities, &c. that the Duke's Palace in Norwich, and the honour and manor of Forncett, Earsham, Kenninghall, Lopham Marshalls, Grayes and Beckhalls in Banham, Framlingham Earle, Boyle and Lancasters, Selfehanger Hall,

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Hoze vize de Lewis, Selfehanger, Fryers, Fairesfield, Brissingham, Sibton in Croxton, Halwick in Thetford, Ditchingham, South Walsham, Halvergate Hanworth, Sherringham, the site of the monastery of Moncks in Thetford, the manor of Thetford, and the site of the Priory of Thetford, and the Canons' farm there, and the site of the house called Maison de Dieu, and of the Chapel of St. Margarets, and of the Hospital of St. John's there; the Hundred of Guillcross, Gallow, Freebridge and Brothercross, and all other the Liberties called the Duke of Norfolk's Liberties, the moiety of the Hundred of Earsham, the Castle, Manor, and Soake of Bungay, the Priory, Manor, and site of the priory and the borough of Bungay; the Manor of Castle Rysing and Roydon, the Priory, Rectory and Cell of North Wooton; the Chace and Park of Rysing, with their appurtenances, and certain marsh and meadow grounds called Acle Marshes near Yarmouth; the Manor of Westwick, Castle Hilliard, and Aldercarre, and a meadow adjoining there; the messuage or tenement &c. in or near Newmarket, and all other manors, lands, &c. of the Duke or held in trust for him, or whereof he has the equity of redemption, in the County and City of Norwich, Counties of Norfolk, Suffolk, and Cambridge, together with all his estate in Yorkshire, remaining unsold and not settled on Lord Mowbray on his marriage; the lands in Aldbury, Shere and other towns adjacent, and the manor of Ashtead, and the gardens and wharves at Lambeth, in Surrey; the manors of Little Hampton and Tottington, and all other fee-simple lands of the Duke in Sussex; the manor of Bitsby in Leicestershire, a messuage, &c. at Willy, in Warwickshire; and the baronies of Graystock and Brough and all other his lands in the counties of Cumberland and Westmoreland; and all estate and interest of the Duke or Lord Mowbray in the places above mentioned, shall be vested in trustees for the payment, in the first place, of certain mortgages, debts, annuities, &c., with power to sell, for that purpose, any part of the estates other than those in Norfolk and Suffolk, and the manor &c. of Aldbury in Surrey, and to make leases of the Norfolk and Suffolk estates and the estate in Surrey (except the mansion house and park of Aldbury), for terms not exceeding 21 years; and after payment, upon trust to convey the said estates or the residue thereof to Henry, Lord Mowbray, and his heirs male, and, for want of such issue, to Lord Thomas Howard, his brother, and his heirs male, and for want of such issue, to the heirs male, in succession, of Henry, now Duke of Norfolk, Thomas, late Earl of Arundel, his grandfather, Thomas, late Earl of Suffolk, deceased (second son of Thomas, who was Duke of Norfolk in the reign of Queen Elizabeth), William, Lord Howard, of Naworth, deceased (youngest son of the said Thomas, Duke of Norfolk); and for want of such issue, to the right heirs of Henry, now Duke of Norfolk. And, for making provision for Lord Thomas Howard, the present Duke's second son, that the manor &c. of Worksopp, in Nottinghamshire, shall be vested in Henry, now Duke of Norfolk, for life, and after to his first and other sons in tail, according to the settlement already executed by the Duke, and for want of such issue, the remainder to Henry, Lord Mowbray and others in remainder after him. And whereas the Duke is impowered, by Lord Mowbray's joining with him in a fine, to make a settlement on his Duchess and a provision for his children by her, of the manor of Glossop in Derbyshire, which at the expiration of the present leases, about ten years hence, will be of the yearly value of about 2,500*l.*, besides the present rent, which with Weybridge and the personal estate will be above 4,000*l.* a year; for enlarging therefore the present maintenance for the Duchess and her children, be it enacted that in case the present Duke die before the leases expire, the Duke's estate in Yorkshire,

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comprised in the settlement made on Lord Mowbray's marriage, shall continue to Lord Mowbray and others in remainder after him, liable to pay 1,000*l.* a year to such persons as the Duke by will shall appoint for so many of the ten years as shall be unexpired at his death. And for the explanation of the late Act concerning Arundel House, be it enacted that the remainder of the term leased by the guardians, and now vested in the Duke, or others in trust for him, or for the Duchess and her children, shall be vested in trustees, subject to the builders' leases, upon trust to receive the rents, and to lease so much as is not already leased to be built and that is not designed to be used with the capital messuage for any term not exceeding forty-two years, and out of the money so received, to pay to the present Duke 500*l.* a year; and upon further trust to sell the rents, to accrue during the remainder of the builders' leases, over and above 5*s.* a year for each house, and over and besides so much of the rents as will, with the said 5*s.* a year, amount to 500*l.*, which shall remain to the present Duke, and to employ the remainder of the money so received in the first place for finishing the capital messuage and gardens, &c., according to the model designed for Norfolk House, and to apply the surplus, if any, towards paying the Duke's debts and lessening the charges on the estate. And after the leases and sales of the rents have been made as above, the trustees shall surrender what residue of the lease for sixty years shall then remain, to such person as shall then be entitled to the premises by the late Act. Provided that this Act shall not prejudice any mortgagee, &c., or weaken any security made for payment of the just debts; nor prejudice the right of Charles, Francis, and Bernard Howard, younger sons of Henry, late Earl of Arundel, to the manors, &c. of Graistocke and Brough or any the lands in the counties of Cumberland and Westmoreland. Provided also that if any annuity, mentioned in the Schedule, shall fall in during the Duke's life-time, the trustees shall pay to the Duke the yearly sum payable for such annuity during his life-time only. Here follows a Schedule of the debts and sums of money which are to be paid according to the provisions of this Act, viz^{t}, (1) Principal debts upon mortgages as follow: 4,000*l.* to Roger Jackson and James Harriot; 2,000*l.* to Sir Thos. Foot; 2,000*l.* to John Wyse and Henry Avery; 1,000*l.* to Sir John Lowther; 1,500*l.* to John Cooke, Esq.; 1,600 to trustees of Walgrave; 500*l.* to Havers; 700*l.* to Sir James Butler; 3,500*l.* to Adams' trustees; 10,000*l.* to Sir W^{m} Godolphin and 10,000*l.* to Wyse and Franklyn, (2) Annuities to the Duke's brothers and sister as follow, 200*l.* to Mr. Charles; 300*l.* to Mr. Edward; 300*l.* to Mr. Francis; 100*l.* to the Cardinal; 300*l.* to Mr. Esme and Lady Scroope; 200*l.* to Mr. Bernard; 400*l.* to the Lady Elizabeth Macdonnell; (3) 8,000*l.* for a portion for Lady Frances Howard, youngest sister of Lord Mowbray, on her marriage or reaching the age of twenty-one; (4.) 3,000*l.* to finish Norwich Palace and 2,000*l.* towards building Arundel House. [Read 1^{a} this day, and committed on 15th. L. J., XIII. 549, 574. After evidence as to the serving of the Bill on the Duke, who was in Flanders, and was about to go to Spa, as he was suffering from stone and gravel, Counsel for him asked for further time to answer, which was resisted by the other side. Eventually the Committee allowed a fortnight after notice, and the Bill appears to have dropped. The debts were stated at 52,000*l.* by L. Mowbray's Counsel. Com. Book 24 May.]

Annexed:—

(*a.*) 14 May. Draft entry of Keymore's evidence respecting his delivery of a copy of the bill to the Duke of Norfolk at Brussels, and of order of the House thereupon. L. J. XIII., 572. *In*

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extenso. See also L. J., XIII. 549, 581. [Keymore swore, on the 15th, that the Duke was not angry with him. MS. Min.]

(*b.*) 16 May. Draft order of the House giving leave to Edward and Bernard Howard to come to town to attend to the bill. L. J., XIII. 576. *In extenso.*

(*c.*) 20 May. Letter of the Duke of Norfolk to the Lord Chancellor. *Dated* Mechlin, 18 May 1679. *Holograph.* States that he received with surprise the news from a servant of his son Arundell respecting the first reading of the Bill, of which he has not yet had a copy, and therefore he cannot write particularly. But he humbly desires their Lordships to throw it out with some remarkable note of their just resentment upon the promoters of this most unparalled piece of confidence that ever man had, for a son, after so long and unnatural prosecution of his father at law, to endeavour now in his absence to have him convicted and suffer by Act of Parliament as criminal for crimes worse, if it be possible, than those of idiocy, lunacy, or treason, less than some of which crimes never yet deprived and and turned any man against his will out of his just estate and property, and without so much as the least crime laid to his charge, but only to gratify an insatiable son, and snatch his cause out of Chancery, to enact the purport of that most false and scandalous bill of his, merely because the writer does not die as soon as his son and his governors would have him. Trusts to their Lordships' justice against this wicked attempt. Is on his way to Spa, for the necessary support of his crazy life, but will return if so ordered. Begs that this letter may be communicated to the House. L. J., XIII. 581. *See* Com. Book 24 May.

(*d.*) 26 May. Draft order requiring notice of the commitment of the bill to be served on the Duke of Norfolk. L. J., XIII. 593. *In extenso.*

174. May 3. E. Thanet's Privilege.—Letter of John Horne, Milner, of Brough Mill, to the Earl of Thanet, complaining of being forcibly turned out of possession at the instance of the Earl's brother, by his steward John Coniston, and his servants Wm. Dargue and John Whorton. The letter was to be left with Mr. George Jenkins, at the sign of the Cock in Norton Folgate, without Bishopsgate. L. J., XIII. 552. [Horne, on 17th May, swore that he held the Mill from Mr. Tufton, but had the Earl's protection. MS. Min.]

Annexed:—

(*a.*) 17 May. Petition of John Coniston, Wm. Dargue, and John Whorton, servants of the Hon. John Tufton, brother of Nicholas, Earl of Thanet. Mr. Tufton, being seized of the manor of Brough, in Westmoreland, let Brough Mill to Horne who, at the expiration of his term, not being willing any longer to farm the same, freely delivered up possession to Coniston, as shown by the annexed affidavit. The Earl claiming title to the manor, it is now pretended that Horne had before attorned tenant to him, which, if he had, was unknown to Petitioner. Pray for a longer time for their appearance. L. J., XIII. 577.

(*b.*) Affidavit of Coniston, Dargue and Whorton. Horne gave up the Mill, as the title of it was in dispute. Sworn 12th May and appended to preceding.

175. May 4. E. Anglesey.—Certificate that Arthur, Earl of Anglesey, Lord Privy Seal, had taken the Sacrament according to the usage

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of the Church of England. [Produced on the 8th, when he took the Oaths. L. J., XIII. 557.]

176. May 5. Papists in London (Licences).—Draft order declaring void all licences granted by the House to Papists to stay in town. L. J., XIII. 554. *In extenso.* [It being moved that Francis Wolfe, a Papist, might have leave to come to, and stay in town, the King's proclamation, issued the previous day against Papists, was read, and the House then made the above order. MS. Min. of date.]

177. May 6. Sir J. Gage.—Petition of Sir John Gage, Bart., stating that he was bailed to go into the country for his health, by order of the Privy Council, and praying that his bail might be renewed by order of the House to the Judges on account of his health. [Read this day, but nothing done in it. Sir John had been committed to the Tower by order of Council. MS. Min. of date.]

178. May 7. V. Halifax.—Certificate that George, Viscount Halifax, had taken the Sacrament according to the usage of the Church of England. [Produced on the 8th, when he took the Oaths. L. J., XIII. 557.]

179. May 7. D. Newcastle.—Similar Certificate for Henry, Duke of Newcastle. [Produced on the 9th, when he took the Oaths. L. J., XIII. 561. The MS. Min. of 15 April have "Rich. Wright and Jas. Ward sworn, say that a fortnight since the Duke of Newcastle was very ill, and that they believe he cannot come to town. His excuse not allowed."]

180. May 8. E. Shaftesbury.—Similar Certificate for Anthony, Earl of Shaftesbury, Lord President of the Council. [Produced this day, when he took the Oaths. L. J., XIII. 557.]

181. May 8. E. Plymouth.—Writ of Summons, dated the 7th, to Charles E. Plymouth, introduced this day. L. J., XIII. 557.

182. May 8. E. Bolingbroke.—Same, dated 25 Jan. 1678–9, to Oliver E. Bullingbroke, who took the Oaths this day. L. J., XIII. 557.

183. May 8. Garter's Roll.—Roll of the Peers of the Kingdom of England, according to their births, creations, and offices. *Endorsed* as dated. *Parchment Collection.*

184. May 9. L. Willoughby of Parham.—Writ of Summons, dated 19 April, to Charles Willoughby de Parham, Chr, who took his seat this day. L. J., XIII. 560.

185. May 9. E. Ogle's Bill.—Draft of an Act for the confirming of Articles of Agreement made before the marriage of the Lady Percy, daughter and heir of Jocelyn, late Earl of Northumberland, with the Earl of Ogle, son and heir apparent of Henry, Duke of Newcastle, and for the enabling the performance of the said articles. Confirms certain Articles of Agreement of 10 March 1678, and the marriage settlement, which settled upon Lord Ogle lands of the yearly value of £10,000 out of Lord Percy's estate, and makes valid all deeds executed by Lord Ogle or Lady Percy, in spite of their nonage. [Read 1a this day, L. J., XIII. 561, and not further proceeded with.]

186. May 9. D. Monmouth's Bill.—Amended draft of an Act for confirming a Conveyance lately made by his Grace the Duke of Monmouth and the Lord Viscount Newport, of several manors and lands to several Trustees, and for indemnifying the said Trustees. Vests certain

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lands, &c. which had come to the Crown on the death of Jocelyn, Earl of Northumberland, and been granted to the Duke of Monmouth, and which the latter had sold for £12,000, in Orlando Gee, Henry Champion and Edward Billingsley (in place of Arthur, Earl of Essex,) as Trustees for raising the purchase money; and after all claims have been met the lands are to go to Lady Elizabeth Percy. [Read 1ª this day. Bill amended in Committee, but never reported. L. J., XIII. 563, 572. Com. Book 15, 17, and 22 May. *See also* preceding paper.]

187. May 17. Popish Plot (Lawson).—Draft order releasing on bail Henry Lawson, Solicitor to the five Lords in the Tower. L. J., XIII. 577. *In extenso.* [Lawson was accused on 12 May by one Child (a witness summoned at Bedloe's desire), and ordered to appear at the Bar the next day. (L. J., XIII. 568 and MS. Min.) Nothing was done on the 13th, the House not having leisure to examine him, but on the 15th his case was referred to the Committee for Examinations (*ib.* 574), who reported this day. The MS. Min. of 17 May add, "it appears that he is a Protestant, and lived with the Earl of Kent."]

188. May 17. Popish Plot (Knox).—Petition of Thomas Knox, Gent, prisoner in the Gatehouse. Complains he has been kept in very close durance, whereby his life is in danger, and no crime assigned, and prays he may be called before the House to give an account of his usage. [Read this day. Petitioner and the Jailor were ordered to appear before the Lord Privy Seal and E. Clarendon at the rising of the House. MS. Min. *See* also L. J., XIII., 533 and MS. Min. 23 April.]

189. May 17. Committees.—Draft report of Committee for Privileges, concerning the ancient method of naming Committees. Agreed to by Committee this day (Priv. Book of date) and reported on the 21st. L. J., XIII. 582. *In extenso.* [The matter was referred to the Committee, on the 14th. L. J., XIII. 572. The Committee, before ordering this report, considered the case of some Committees named on 6, 7, and 9 April 1624, wherein were as many Earls as Bishops, and double the number of Barons. But this rule not observed on 14th April. Priv. Book 17 May.]

190. May 18. E. Sunderland.—Certificate that the Earl of Sunderland had taken the Sacrament according to the usages of the Church of England. [This and next four certificates were produced on the 19th, when the five lords in question took the Oaths. L. J., XIII. 578.]

191. May 18. E. Guilford.—Similar Certificate for John, Duke of Lauderdale (sitting as Earl of Guilford).

192. May 18. V. Fauconberg.—Similar Certificate for Thomas, Viscount Fauconberg.

193. May 18. Bp. London.—Similar Certificate for Henry [Compton] Bishop of London.

194. May 18. L. Roberts.—Similar Certificate for John, Lord Roberts, Baron of Truro.

195. May 19. Leather Bill.—Commons' Engrossment of an Act for reviving and continuing of a former Act intituled An Act for giving leave to buy and export Leather and Skins tanned or dressed. Whereas it has been found by experience that the Act of 20 Car. II., has been very beneficial to this kingdom, and whereas great quantities of hides, undressed and untanned, were during the continuance of the said Act imported from Ireland, Barbary, and other places, and were made into leather in

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this kingdom, and the same leather was again exported and the said leather and hides paid custom on importation and exportation, and the price of bark of this kingdom, and the trade of tanning and dressing leather and exporting the same, was a great benefit and advantage to the King and his subjects; and whereas the said Act is now expired, and the said hides cannot therefore be imported as formerly, for that when they are tanned and dressed and made into leather they cannot be again exported, and by means thereof the said hides are now carried to France and other places, and are there tanned, etc., to the great damage of the customs and of the navigation and commerce of this Kingdom; the Bill revives and continues the said Act for seven years, and from thence to the end of the next Session of Parliament. Provided that nothing in this Bill shall give liberty to any person to export leather to any of his Majesty's foreign plantations other than in shoes, boots, and other wares fully manufactured and wrought up. *Parchment Collection.* [Brought from the Commons this day. L. J., XIII. 580. Dropped with the session. *See* No. **201.** For earlier Bills for the same purpose *see* Calendar Ninth Report Nos. **282. 389, 605.**]

196. May 19. Popish Plot (Gerrard).—Information of Stephen Dugdale against Richard Gerrard. L. J., XIII. 578. *In extenso.* [Reported, with next paper, this day from the Committee for Examinations. The Committee on the 26 May ordered Mr. Warcup to examine Gerrard in Newgate. No further entry in Exam. Book. *See also* No. **6.** Annex (*ss*).]

Annexed:—

(*a.*) 19 May. Examination of Richard Gerrard. L. J., XIII. 578 *In extenso.*

(*b.*) 19 May. Draft order of the House committing Gerrard from the Gatehouse to Newgate. L. J. XIII., 579. *In extenso.*

197. May 21. Popish Plot.—MS. Minute Book of the Committee for Examinations, from 21 to 26 May 1679, and from 25 Oct. 1680 to 8 Jan. 1680–1. Vol. IV. The Chairmen are as follows: *E. Clarendon* on May 21–26, Oct. 25, 26, Nov. 6, 10, 11, 29; *E. Shaftesbury* on Oct. 27, 28, 30, Nov. 3, 8, 9. 11 (p.m.), 16, 22, and Dec. 14 (p.m.); *E. Salisbury* on Dec. 2; *E. Bridgewater* on Dec. 3; and *E. Essex* on Dec. 4–21, and Jan. 5–8. The contents of this volume, besides what is given in connection with papers in this Calendar, are as follows:—

(*Clark* v. *Howard and Ireland*):—21 May. Mr. Charles Howard is called in. Sir Wm. Waller delivers in an Examination of Daniel Clark, taken by him yesterday wherein he accuses Thomas Ireland of hiring him to fire his mistress' house, and owns he wronged Mr. Charles Howard in accusing him formerly . . . Ordered, That Sir W. Waller have Clark's Examination to examine him further, and then return the two examinations. Ordered, That Mr. Howard be discharged from any farther attendance on the Committee in this matter.—22 May. Mr. Charles Howard informs the Committee that he hears Thomas Ireland is in town. He desires he may have an order for John Briggs to apprehend him and bring him before Sir W. Waller, who has taken the former examinations in this matter. Ordered, That the House be moved for such an order. [*See* L. J., XIII. 585 and No. **207.**]

(*John Peters*):—21 May. Mr. John Peters is called in. Says he lives now at Mr. Hunton's house in Southwark, and that he came to town for his health. Protests he knows nothing of any ill design against the King, etc. Sir W. Waller says he searched his papers, but found nothing in them material, but committed him to the Gatehouse

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till he could be brought hither. Peters offers to give bail for his appearance, whenever he shall be required. He is advised to retire into Essex, his own county. Ordered, That he be released on his recognizance.

(*Oates* v. *Norwood*):—22 May. The Order in Council of the 16th inst. between Mr. Oates and Norwood is read. Mr. Warcup informing the Committee that Oates is not well, Ordered that White and Norwood attend on Saturday, and that if Mr. Oates be not then well enough to attend, he instruct some other person to appear for him.—24 May. *Mr. Oates* complains of Norwood's having abused him and endeavoured to take away his reputation. He desires he may be asked whether he has been with the Lords in the Tower. He hopes to proves his confederacy. *Norwood* is called in, and delivers a Petition which is read, and told he must still continue in the messenger's hands for some time longer. He says he never was with the Lords in the Tower, and that nobody from them has been with him.

(*Sarah Prosser*):—24 May. Sarah Prosser's Petition is read, but nothing done upon it.

(*John Davies*):—26 May. Mr. Warcup says he has seized one Davies, a Papist, in town and found a book in his pocket with several priests' names in it, as also a letter found in his lodgings directed to Cardinal Norfolk, and a book wherein are some scurrilous verses and some passages at Court and in the House of Lords. *John Davies* is called in. Says he has been in town nearly three months. He is no priest. He never corresponded with Cardinal Norfolk since he left Rome. He was a Minor Canon at Windsor before he went to Rome. Ordered, That Mr. Warcup commit him to prison for holding correspondence with the Cardinal Norfolk and for being in town contrary to the Proclamation. The letter is delivered back to Mr. Warcup. Davies, re-called, says he was a deacon and priest according to the Church of England before he went to Rome.

(*Edward Burtby*):—26 May. Edward Burtby, a Papist, is called in. Says he is a housekeeper in town. He has relation to the law, and is employed for several Protestants and is bound by Mr. Rich to the next sessions. He does not understand the Oath of Supremacy, but is willing to take the Oath of Allegiance. Ordered that Justice Rich attend to-morrow.

(*William Martin*):—26 May. William Martin, a Papist, is called in and asked why he is still in town. He shows a certificate under Mr. Parry's hand that shows that he is bound to the Sessions, etc. Says he is willing to take the Oath of Allegiance, but it has never yet been tendered him. Ordered, That he and Mr. Parry attend to-morrow.

(*J. Plessington*):—26 May. The L. Privy Seal delivers in a letter from Sir J. Charleton and George Johnson concerning their having condemned Jo. Plessington, a Popish priest, and reprieved him, etc. Ordered, That the House be acquainted with the letter.

(*Fire in the Minories*):—26 May. Mr. Howard delivers in a Paper concerning the Fire in the Minories. Ordered, That the Justices who have taken the examinations in that matter be desired to deliver copies of them to Sir W. Waller, who has taken some examinations therein, and bring them to the Committee.

(*Informations*):—25 Oct. 1680. Inquiry is made below whether any attend to make any information to their Lordships.

(*Popish books, etc.*):—25 Oct. 1680. Ordered, That Mr. Frazer attend to-morrow. Mr. Mann (the Lord Mayor's Officer) is called in,

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and brings in a great bag of Papers sealed up, which Frazer brought to the Sheriff. Ordered, That E. Shaftesbury, L. Grey, and L. Lovelace be desired to peruse the papers and give the Committee an account.—26 Oct. E. Shaftesbury reports that they find nothing material in the papers, only several Popish books, which are directed to be delivered to the Bishop of London, and some clothes, which are ordered to be delivered to Frazer, who seized the bag, to the end the owner may have them again if enquired for.

(*Oates v. Capt. Bickley*):—25 Oct. 1680. Mr. Oates complains that the Bishop of Chichester and Justice Bickley have reviled his evidence. John Peachy, sworn before E. Clarendon and E. Craven, states (in addition to what is reported in L. J., XIII. 618), that the words were spoken at a Sessions dinner at Chichester, and that the Bishop was present, but witness did not hear him say anything.—27 Oct. Oates complains that the Order for Mr. Bickley's attendance is given him, and not sent by the officers. He desires he may be attached as a criminal. Ordered, that Mr. Snow get the order served.—6 Nov. Thos. Bickley is called in, as also the witnesses. Mr. Peachy's Information is read. Bickley denies the words sworn against him. *Nicholas Covert* (sworn) says he was at the public meeting at Chichester, but he remembers not that anything was said reflecting on Dr. Oates. The discourse was concerning the Narratives, and somebody there said that he had contradicted himself twenty two times. He believes it was Mr. Bilby, the minister, that said so. *Edward Exton* says that he heard no discourse between Bickley and Peachy, but Peachy told him that Bickley had said that Oates had contradicted himself twenty-two times in the trials. *Mr. Peachy* says he can bring several witnesses to prove it, and he will bring them at his own charge. Ordered, That the House be moved that Mr. Bickley may be put out of all employments.*

(*Dugdale*):—25 Oct. 1680. Mr. Justice Warcup says that Mr. Dugdale has something to say about endeavours to burn him in his house, but he is not yet able to attend. He is directed to take his information and bring it to the Committee.

(*Search for Papists*):—26 Oct. 1680. L. Howard moves that the Lord Mayor may be sent for to search a house in London where his Lordship has reason to believe something material in relation to the Plot may be found. He is desired to move the Lord Mayor therein, and that the Committee may have an account of what he finds.

(*Bedloe's Deposition*):—27 Oct. 1680. Bedloe's deposition, taken before L. C. Justice North, is sent for from the Council, and delivered in by Sir John Nicholas. The Clerk is ordered to wait on L. C. J. North with Bedloe's papers.

(*Conspiracy in Ireland*):—8 Nov. 1680. Papers from Ireland delivered in by Mr. Bridgeman. Informations of *William Stokes* and *David Nash* read.—10 Nov. Further Papers delivered in by Mr. Bridgeman.—11 Nov. Letter of L. Lieutenant and Council to E. Sunderland read, dated 30 Oct. 1680. The Mayor of Bristol's letter of the 6th inst., and James Geoghan's† Information are read. Ordered to report that Geoghan be sent for back from Bristol, and that George

* *See* L. J. XIII., 683, to which the MS. Min. of date add that the L. Chancellor, in admonishing Bickley at the bar, said "You know how much the King and Kingdom are concerned in upholding the King's evidence; but upon the desire of Dr. Oates we dismiss you."

† Described in Minutes of 17 Dec. 1680 as Geoghegan *alias* Dalton. *See* Carte's Ormond ii., 513 *sqq.* and App. 102.

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Johnson be sent for in custody. *Bernard Dennis'* examination read, dated 29 Oct. 1680, and ordered to be reported to the House as fit to be sent to the Commons.—9 Dec. Further papers delivered in by Mr. Madox; the House to be moved that they be sent to the Commons. The Clerk of the House of Commons to be asked if he has the examination of young *Mr. Mathews* and other persons, taken before Mr. Villiers, the L. Grandison's son, and the Mayor of Youghall about a year and a quarter since.

(*J. Fitzgerald*):—27 Oct. 1680. A letter from John Fitzgerald to E. Halifax is offered but not read.—8 Nov. Ordered that John Fitzgerald have 40*s*. paid him by the Clerk.

(*Harriot*):—30 Oct. Mr. Harriot informs the Committee that a Schoolmaster behind St. Clement's threatens him for having taken examinations concerning Sir Edward Scott being a Papist. He is directed to bring his witnesses.

(*Andrew Thompson*):—3 Nov. Mr. Andrew Thompson petitioning to be released, having been long in prison, the Clerk is directed to give the Committee an account for what he lies in prison.

(*Col. Anselm*):—8 Nov. Col. Anselm says that coming over Lincoln's Inn Fields the other day, three or four fellows came to him and said, "How now, Dugdale?" Col. Warcup is directed to take his Information upon Oath . . . . . Mr. Warcup delivers in his deposition, which is read: Ordered, That the House be acquainted with it.

(*Reding*):—8 Nov. Mr. Warcup says that upon his search for Papists in the interval of Parliament, he saw in Mr. Reding's chamber to baffle the King's evidence (*sic*).

(*Peter Carill*):—8 Nov. *John Daniel* says that on Saturday last he heard that some dangerous persons were lurking in the Mint. Justice Reading gave me a warrant to search for them, whereupon I went to search one house, but was denied entrance for two hours. At last I came into a room, whereupon the owner of the house tearing a paper, I seized his books and papers. The paper he so tore I could read nothing of, save the words "William Harcourt." He delivers in some of the papers, amongst which is a bond of John Carill's to Peter Carill. He says that the neighbours inform him that 80 or 100 people come to his house at a time. Ordered, That W. Snow fetch the books and papers, and deliver them to the Clerk. Ordered that Mr. Cooling, Marshal of the King's Bench, attend to-morrow; and that John *alias* Peter Carill and Robert Peters be brought at the same time.—9 Nov. Mr. Cooling is called in. He says that Peter Carill came from the Marshalsea upon a *Habeas Corpus* to the King's Bench. *Peter Carill* is called in, and says he was formerly discharged. *Cooling* says he never saw any discharge. *John Daniel* says that when he went to search Carill's house, Carill refused to open the door, saying he had order from the Marshal not to open the door to any constable, unless his officers were there. *William Surrman*, Constable, says that several of his neighbours have told him that 20 persons or more resort to Carill's at a time, and they believe to mass. *Carill* says that never above five or six persons have been with him at one time, and they never were there after 5. The paper he tore yesterday was an acquittance under Wm. Harcourt's hand of his own writing for 30*l*. He tore the paper because there is an art to wash out what is written; he feared they might do so, and write something above the name. *Memo.* Carill had the bond delivered him again. Ordered, That Carill be remitted to the King's Bench. Ordered, That the copes, plate, trinkets and books seized be

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conveyed to the Bishop of London, to be disposed of according to law.

(*Oates*) :—9 Nov. Dr. Oates desires that the House may be moved to address the King that he may have money, 12*l.*, to diet himself as formerly, and not diet from the King. The L. Privy Seal, M. Worcester, and E. Essex undertake to move it in Council to-morrow.

(100*l. for Committee*) :—9 Nov. Ordered, That the House be moved for an Address to the King for 100*l.*, to be put in the Clerk's hands to be disposed of by the Committee. [The MS. Min. of this day have the following: "Ordered, That the money which is to be put in Mr. Attorney's hands is . . . (*sic*). Ordered, That Mr. Attorney send notes to the Commissioners of the Treasury for money." Comp. L. J., XIII. 657.]

(*Gabay* v. *Capt. Bell*) :—4 Dec. 1680. E. Sunderland delivers in an Information of Jonas Gabay, a Jew, against Capt. Philip Bell, which is read. Nothing done in it.

(*Francis Dowdall*) :—14 Dec. Francis Duddell, [Dowdall] the landlord of Wm. Hall (See No. **352**) is called in, and asked why, being a Papist, he is here. He says the Spanish Ambassador brought him from Brussels; that he has five children and a sick wife, and cannot maintain them unless he stay here. Ordered that the House be acquainted with this matter, and their direction received herein. (*See* L. J., XIII. 715). —16 Dec. The E. Essex acquaints the Committee that the Spanish Ambassador acknowledges their Lordships' favour in acquainting him with Duddell's pretending he is his servant. He says he brought him from Brussels, and allows him 2*s.* 6*d.* a day, and if the House think not fit that he should be his servant, he desires he may have leave to return to Brussels. Ordered that the House be moved herein. (*See* L. J., XIII. 718.)

(*Gurmley and Macodden*) :—16 Dec. E. Shaftesbury moves the Committee that Paul Gurmley and George Macodden, who can witness materially concerning the Plot, may be sent for over.

(*Irish Papists in London*) :—18 Dec. Jane Palmer, in Green's Alley, near the Abbey, is called in, and says that last Parliament about twenty Irish Papists lay about town and received pensions, viz., 2*s.* a day, of L. Douglas; and that they are all gone except one Burke, who has been before the House of Commons. [*See also* Nos. **256** and **270**.]

(*Dr. Tonge*) :—20 Dec. The E. Essex informs the Committee that Dr. Tonge is dead. Capt. Tonge, his brother, who is his administrator, says he has secured his brother's papers. The E. Essex is desired to peruse them, and give the Committee an account.

(*Norris*) :—21 Dec. Ordered, on motion, that Norris, who has been sent into France by Dr. Tonge for Dowdell, a Popish priest, to give evidence concerning the Plot, and has lately been wounded by persons unknown, may have 10*l.* paid him by the Clerk out of the moneys deposited in his hands by the Committee.

(*John Potter*) :—5 Jan. 1680–1. Edmund Hutton, High Constable, informs that John Potter, of Stepney, is a great harbourer of Papists, and that he has suffered to escape one Roch and his wife, Papists, whom he had undertaken to bring before the Committee. John Potter is called in and asked why he harbours Papists in his house. He says he has a servant who is an Italian, and being asked why he did not produce Roch and his wife before Sir William Smith, as he engaged to the High Constable, he says they were in Thirdborough's hands and at Sir W. Smith's door. Ordered that Potter produce Roch and his wife on Friday.

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John Sepolina, the pretended servant to Potter, is called in. Owns he is a Papist. Before Christmas last he was in Whitehall at the Duchess of Portsmouth's lodgings. Owns he was at the Fire on New Year's day. Ordered that the House be acquainted herewith.—7 Jan. *William Roch* is called in. Says he is a Papist and a Dutchman. He was at Poplar at Mr. Potter's house on New Year's day. [*See also* No. **373.**]

(*Smith* v. *Bartlett*):—7 Jan. Mr. Smith informs the Committee that he hears that at one Bartlett's house, a surgeon, near Gray's Inn Lane, there is a great concourse of Papists, especially on Wednesday and Friday nights. The neighbours there are afraid of some mischief by fire. He is directed to inform some Justice hereof, to the end enquiry may be made.

198. May 21. Popish Plot (Gazanie).—Petition of John Gazanie, now prisoner in the Gatehouse, his wife and seven children. Upon information against petitioner about three months ago of having spoken dangerous words against his Majesty, he was committed to the Gatehouse, but was admitted to bail, on his petition to the King, and the Attorney-General's opinion thereon. About nine weeks since he was re-committed by order of the House on the same information. He is a very poor tradesman and altogether innocent. Prays to be discharged. *Endorsed:* Read but not ordered. [MS. Min. of date state " he is charged to have said he would kill the King."]

199. May 21. Osborne v. West.—Petition of George Osborne. James Napper entailed a copyhold called Baldens, in Sussex, on himself and his son and heirs, and was seised of a freehold called Malkinson's. His son James died without issue, and the father sold Baldens to petitioner. But Richard West pretends that the son, James, had surrendered him his reversion for 150*l.* that West lent him. West only paid him 30*l.*, and at any rate Petitioner, on buying Malkinson's after the pretended surrender of Baldens to West, paid West 226*l.*, which was all that Napper, the son, then owed him. Petitioner then sued West in Chancery, but he having consented to a nonsuit, the Lord Chancellor would not direct another trial for the full discovery of the truth of the matter. Prays that proceedings may be stayed, and West ordered to answer. [Received this day. MS. Min. *See also* L. J., XIII. 617. For proceedings at the hearing *see* MS. Min., 19 Nov. 1680. Counsel were *Mr. Cresset*, *Mr. Whitlocke*, and *Mr. Porter*.]

(*a.*) 20 May. Certificate that Petitioner and Theophilus Aylmer had entered into Recognizance in Chancery. Brought in this day.

(*b.*) 23 Oct. 1680. Petition of Appellant, reviving appeal, L. J., XIII. 617.

(*c.*) 3 Nov. 1680. Answer of Richard West. The mortgage on Malkinson's was prior to the surrender of Baldens, so that the 226*l.* could not have covered Respondent's claim on the latter. Respondent had really lent James Napper 150*l.* and had only been repaid 15*l.* Appellant was an attorney, and promised James Napper, the son, in Respondent's presence, to pay off both debts, but did not pay off the second. [Brought in this day. MS. Min.]

(*d.*) 9 Nov. 1680. Petition of Respondent for an early day for hearing, he having been put to an expense of near 400*l.* by Appellant. L. J., XIII. 656.

(*e.*) 19 Nov. 1680. Petition of same for hearing forthwith. *See* L. J., XIII. 677 and MS. Min.

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200. May 21. Sir Oliver Boteler v. Attorney-General et al.—Petition and Appeal of Sir Oliver Boteler, Knt. and Bart. Sir William Boteler, Petitioner's father, died when Petitioner was eleven, and left an estate of over 2,000*l.* a year in fee and a lease of the Manor of Long Sutton, worth 400*l.*, which he burdened by will with 600*l.* to be settled on the vicarage of Shornbrook, Beds. Dame Joan, Petitioner's mother, was Executrix, and married Sir Philip Warwick and enjoyed the lease of Long Sutton until its termination; but she never raised the 600*l.*, and on Petitioner coming of age, induced the latter to consent to pay the 30*l.* a year to the vicarage. When Petitioner had lost all his children and was likely to die, he made a voluntary grant of a farm in Thurleigh, Beds, to Trustees, to secure the 30*l.*, but he never parted with the Deed; and on recovering and having three children, he cancelled it. But he continued to pay the 30*l.* a year until his mother showed him unkindness, when he ceased to do so. Thereupon Sir Philip caused Alexander Bolton, the vicar of Shornbrook, to sue him, and the Court of Chancery decreed that he should make good his conveyance of Thurleigh, free from incumbrance, or of some other lands for raising the 30*l.* a year. Thurleigh is incumbered, and all his other lands were settled on his marriage, so that he cannot perform the Decree; and, moreover, Sir Philip and his mother had received over 18,000*l.* out of the estate during his minority, and handed him over the estate 3,000*l.* in debt. Prays the Decree may be reversed. [Received this day. MS. Min. No entry in L. J. For proceedings at the hearing *see* MS. Min. 30 June 1685. Counsel for Appellant were *Mr. Hutchins* and *Mr. Cresset*, and for the Respondents, the *Attorney-General*, *Sir Thomas Jones*, *Mr. Rawlinson*, and *Mr. Phillips.*]

Annexed:—

(*a.*) 3 Nov. 1680. Petition and Appeal of same to same effect as preceding, but in more detail. Appellant adds that, since his last petition, Alexander Bolton had died, and his widow and his successor, one Tiffony, had obtained a sequestration of his estate and a warrant for his commitment. Prays that Mrs. Bolton, Tiffony, the Attorney-General, and Sir Philip Warwick may be ordered to answer, proceedings below be stayed, and Petitioner have his liberty to prosecute the Appeal, on giving security for costs. L.J., XIII. 632.

(*b.*) 13 Nov. 1680. Answer of Sir Philip Warwick. The Decree was just, and Appellant should not be allowed to bring new matter into the Appeal.

(*c.*) 20 Nov. 1680. Joint and several answer of Elizabeth Bolton, widow, and W^m^ Tiffin, Clerk. To same effect as preceding.

(*d.*) 23 Nov. 1680. Petition of Appellant for an early day for hearing, L. J., XIII., 684.

(*e.*) 6 Dec. 1680. Answer of Sir Creswell Levinz, Knt., H.M. Attorney General. To same effect as the other answers.

(*f.*) 7 Dec. 1680. Petition of Appellant to put off the hearing, as the Attorney General's answer had only just been put in. Prays to be allowed to use a Deed, executed by Sir Philip Warwick, which proves that the 600*l.* had been raised out of Long Sutton, and to produce a witness to prove it. L. J., XIII. 706.

(*g.*) 2 June 1685. Petition of same, reviving appeal against Matthew Johnson and John Tench, Executors of Sir Philip Warwick, deceased, and Anthony Bolton, Executor of Elizabeth Bolton, also deceased. L. J., XIV. 27.

(*h.*) 10 June 1685. Answer of Matthew Johnson and John Tench, Executors of Sir Philip Warwick. To same effect as the other answers.

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(*i.*) 13 June 1685. Petition of William Tiffin, Vicar of Sharnebrooke, Beds. Was left out of the revived Appeal. Prays for leave to answer, being the person chiefly concerned. L. J., XIV. 40.

201. May 21. Leather Bill.—Petition of the Shoemakers and other Manufacturers of leather, in and about London (5 Signatures). Petitioners understand that there is a Bill before the House for reviving the Act which expired in 1675, which was the utter ruin and impoverishing of thousands of families. Before and since the said Act, raw hides and tanned leather and bark yielded, and now yield, as good a price as in time of transportation; and far more foreign raw hides have been imported since the Act expired. By the Act the nation will take 200*l.* for every 100*l.* worth of leather sent away unwrought, and the customs will lose many thousands a year. It will benefit only some few of London, French, and Bristol merchants who have been its continual promoters. Pray to be heard by counsel. L. J., XIII. 582. [For engrossed Bill *see* No. **195.**]

202. May 21. J. Relfe.—Petition of John Relfe to the Committee for Examinations, stating that he has constantly attended their Lordships as clerk both in the present and the last Session, without any salary. Having lately received by their Lordships' order 200*l.* to be disposed of for rewards and encouragements, he prays that part thereof may be appointed him for his services. [The Exam. Book contains an order of this day, signed Clarendon, authorizing Relfe to keep 30*l.* for himself. *See also* No. **328.**]

203. May 22. / June 26. Certificates.—MS. Book endorsed "Certificates, several occasions and businesses, 1679." It contains two certificates only as to the names of Commissioners in the original of the Supply Act, 31 Car. II. c. 1 in the Parliament Office, and attested by the Clerk of the Parliaments and his Deputy.

204. May 22. Militia.—Portion of Commons' Message of this day relating to the Address concerning the Militia. L. J., XIII. 583. *In extenso.*

Annexed:—

(*a.*) 22 May. Draft order of the House for certain Lords to attend the King concerning the Address. L. J., XIII. 583. *In extenso.*

205. May 22. Popish Plot (Condemned Priests).—Message from the Commons for the condemned priests to be remanded to their respective counties for execution. L. J., XIII. 583. *In extenso.*

Annexed:—

(*a.*) 23 May. Draft order for Oates, Bedloe and Dugdale, to visit the condemned priests in Newgate, to see if they are any of those whom they knew to be concerned in the Plot. L. J., XIII. 587. *In extenso.* *See also* MS. Min. [On the 24th Oates told the Committee for Examinations that he had seen the prisoners, and that Lewis was a Jesuit, was at the Consult in April, and was in the Plot. Bedloe did not see them. On the 26th Dugdale said he knew Johnson, who used to go by the name of Wall, and had been at several of the Consults. He believed Johnson might confess something if he were examined. The Committee ordered Mr. Warcup and Dugdale to go to Newgate and examine him. Exam. Book.]

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206. May 22. Popish Plot (Irishmen in Pembroke Gaol).—Draft order dismissing the case of James Higgon, L. Keogg, Thos. Eustace, J. Dowdswell, and Thos. Conway. L. J., XIII. 585. *In extenso.* [L. Privy Seal produced before the Committee for Examinations this day, by the King's command, letters from Mr. Francis Manley, Sir Robt. Southwell, and Messrs. Dawes, Mordaunt and Phillips, with which the Committee ordered the House to be acquainted. Exam. Book.]

207. May 22. Popish Plot (T. Ireland).—Draft order giving warrant to J. Briggs to arrest Thomas Ireland. L. J., XIII. 585. *In extenso.* [The following entries appear in the Exam. Book. Mr. Charles Howard is called in. Sir Wm. Waller delivers in an examination of Daniel Clarke taken by him yesterday, accusing Thos. Ireland of hiring him to fire his mistress' house, and owning he had wronged Mr. Howard in accusing him formerly. Sir W. Waller was then ordered to examine Clarke further, and Howard was discharged (21 May). On the 22nd Mr. Howard acquainted the Committee that he had heard Ireland was in town, and asked for an Order for John Briggs to apprehend him. It was ordered that the House be moved for such an Order. On the 26th Mr. Howard delivered in a paper concerning the Fire in the Minories, and it was ordered that the Justices who had taken the Examinations in that matter be desired to deliver copies of them to Sir W. Waller, who had taken some examinations concerning that matter, and bring them to the Committee. *See also No.* **197.**]

208. May 23. Sir C. Clapham v. Foster.—Petition of Sir Christopher Clapham, Knt. The recital is identical with the Petition of 31 May 1675 (Calendar, Ninth Report No. **271.**) Prays reversal of the Decree [*Endorsed* as received this day. No entry in Records.]

Annexed:—

(*a.*) 29 Nov. 1680. Petition of same, identical with preceding. [Dated this day. Read 16 Dec. L. J., XIII. 718.]

209. May 23. Chute v. Lady Dacre.—Petition and appeal of Challoner Chute, Esq. Petitioner's grandfather, on his marriage with Dorothy, Lady Dacre, agreed with Sir Dudley North, late Lord North, and Richard Barrett (her Trustees) to settle upon her a jointure of 500*l.* a year, failing which, 5,000*l.*, being part of a debt due by the late Earl of Arundel. He accordingly settled upon her an estate at Chiswick of above 500*l.* a year, which, after his death, was evicted away by her own default. She then claimed the 5,000*l.*, and procured her servant, Mr. Owen, to administer Petitioner's estate during his minority. She obtained Decrees in Chancery, pretended to be with Petitioners's consent during his minority, charging the Vine and other lands in Hampshire with her claims; and at least 6,000*l.* worth of timber was felled on Petitioner's estate. She had received 8,000*l.*, and still claims the 5,000*l.* Prays he may be restored to his estate, and have an account from Lady Dacre and Mr. Owen. L. J., XIII. 587. *Vernon* i, 160; *Cases in Chancery* ii. 104. [For arguments at the hearing, the House going into Committee to hear the cause, *see* MS. Min. 12 Nov. 1680. *Mr. Phillips*, the *Solicitor-General*, and *Mr. Hutchins* were Counsel for Appellant, and *Sir John Churchill* and *Mr. Porter* for Respondent.

Annexed:—

(*a.*) 23 May. Draft Order on above. L. J. XIII. 587 *in extenso.*

(*b.*) 23 Oct. 1680. Petition of same. Though the above Order had been served on Respondents, they had perfected the Decrees, and had ousted Petitioner from his estate, worth about 1,000*l.*

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a year. Prays they may be ordered to answer. L. J., XIII. 617.

(*c.*) 30 Oct. 1680. Answer of Richard Owen. An amicable agreement was made with Thomas Leonnard and Henry Barker, Appellant's Guardians, and a Decree in Chancery obtained by consent thereupon. Respondent was appointed to administer the estate by consent of all parties, and had done so faithfully, and only 2,806*l.* worth of timber had been felled. He had accounted to Appellant, and ought to be discharged. [Put in this day. MS. Min.]

(*d.*) 3 Nov. 1680. Answer of Dorothy Lady Dacre and Richard Barrett. Lady Dacre has nothing to do with Owen's management of the estate, which she is ready to relinquish so soon as her claims are satisfied. *See* L. J. XIII. 633. [Endorsed as put in this day.]

(*e.*) 4 Nov. 1680. Petition of Appellant for a short day for hearing. *See* L. J., XIII. 633.

(*f.*) 13 Nov. 1680. Petition of Appellant. Petitioner, understanding that the House, after a hearing in part, are of opinion that Lady Dacre's claim of the 5,000*l.* is not barred by her acceptance of Sutton Court, submits on that point, but prays to be further heard as to the excessive amount decreed against him, namely 12,000*l.*, and as to a legacy of 900*l.* to Lady Dacre, for which there were no assets, and further says that his consent to a Decree when an infant ought not to bind him. These points were not dealt upon at the hearing, under the impression that the House was inclined to relieve Petitioner on the other point, L. J., XIII. 664. [The reading of this Petition gave rise to a long debate this day, and on the 15th and 19th. L. J., XIII. 678 and MS. Min. of dates.]

(*g.*) 29 Nov. 1680. Petition of Lady Dacre. Submits that the Judgment of the House of the 26th was incorrectly drawn up by the Clerk. The account directed by the House was only as to fraudulent sales and wilful default. The point as to the 5,000*l.* had been already settled after the first hearing, and Petitioner is entitled to damages. The House did not intend the legacy to form part of the 5,000*l.* Appeals to their Lordships' memory. There were abundant assets at her husband's death. Prays that the account directed to be taken should include an examination into the assets, that the clerk's mistakes should be corrected, or that she may be heard on these points. [Received this day, MS. Min. *See also* L. J., XIII. 709.]

(*h.*) 23 May 1685. Petition of same. Repeats all the details of the case, adding that Barker and Owen had wilfully kept back a will making provision for the younger children, so that the 1,232*l.* she had spent on them ought not to be deducted out of the 5,000*l.* Lady Anglesey had an annuity of 400*l.* charged on the Estate. The Court of Chancery had made a further Decree, but had been hampered by the Judgment of the House of the 26 Nov. 1680. This decree further charged her with 40*l.* a year since her husband's death for lodging and fuel at Sutton Court, where she had lived solely in the interest of the younger children, though she had many houses of her own unoccupied. The Appellant is endeavouring to run away with the whole estate of 1,500*l.* a year without making any provision for his brothers and sister. Prays the House to make such explanation of their said Judgment as to leave her the 5,000*l.* free from deductions. L. J., XIV. 14.

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[Referred to the Committee for Petitions, but no entry in Pet. Book. *See also* L. J., XIV. 35, 42.]

(*i.*) 6 June 1685. Petition and Appeal of Challoner Chute, Esq. Appeals against Master Sir John Coell's Report on the grounds that he should not have taken evidence as the amount of the legacy; that he allowed only 2,500*l.* for timber worth 8,000*l.*; that he allowed no interest for the sums Lady Dacre had drawn for the younger children; that he put the furniture at Lady Dacre's valuation, whereas Petitioner had offered 200*l.* for what was valued at 5*l.*; that Lady Dacre ought to have been charged 130*l.* instead of 40*l.* a year for living at Sutton Court; that she ought to have been charged for allowing Vine Lodge and other places to stand empty; and that Petitioner ought not to have to pay the costs of Lady Dacre's suit against his father. If the matter of the Judgment of 26 Nov. 1680 is to be re-opened on Lady Dacre's Petition, he prays to be reheard as to the 5,000*l.* [Lodged 2 June, and read this day.* MS. Min. of dates. *See also* L. J., XIV. 42. For arguments at the hearing *see* MS. Min. 15 June. *Mr. Rawlinson* and *Mr. Ward* appeared for Lady Dacre, and *Mr. Williams*, *Mr. Phillips*, and *Mr. Hutchins* for Mr. Chute. Counsel confined themselves to the point of maintenance. A further petition of Chute was offered on 19 June, but nothing done on it. (MS. Min. 19 June).]

210. May 23. Sir J. Platt *v.* Bennet.—Petition of Sir John Platt, Knt. Sets forth that one Gore having got a judgment in ejectment against Petitioner in the name of one Bennet, Petitioner brought a writ of error into King's Bench, where, none appearing on his behalf, the judgment was affirmed. Petitioner has brought his writ of error into the House, but it cannot be received by reason of a late order of their Lordships limiting the time. Prays that the writ of error may be received, notwithstanding the order. [Endorsed as received this day. No entry in L. J., or MS. Min.]

211. May 23. Sir C. Hoghton's Bill.—Draft of an Act for rectifying several errors and mistakes in certain Deeds of Settlement made upon the marriage of Sir Chas. Hoghton, Bart., with Mary, the daughter of John, Lord Visct. Massareene of the Kingdom of Ireland. Identical with the Act 32 Car. II. c. 1 in list of Private Acts 8^vo. [Read 1^a this day; dropped after commitment. L. J., XIII. 587, 588. "Sir C. Hoghton's Committee revived, to meet to-morrow at 9." MS. Min. 27 May. No entry of this in L. J.]

Annexed:—

(*a.*) 23 May. Paper containing title of Bill to be endorsed thereon.

(*b.*) 26 May. Consent of L. Donegal, L. Massareene, Clotworthy Skeffington, J. Swynfen, Edw. Rigby, Tho. Ashhurst, and Dame Mary Hoghton, to the Bill. Dated 26 Oct. 1678. Produced before Committee this day. Com. Book of date.

212. May 24. Papists in London (Nevill).—Draft order committing Henry Nevill, a Papist, to the Gatehouse, for remaining in town. L. J., XIII. 588. *In extenso.* [Nevill, who had been apprehended by Mr. Warcup, said he came to town only last night, and was going abroad,

* The concluding part of the Order made this day (L. J., XIV. 35), viz., from "as likewise" *ad fin.*, was added on the 10th when the Order was read. MS. Min. 10 June.

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but not knowing whether the pass he had was still good, he had been forced to stay in town two or three days. Exam. Book of date. L. Clarendon reported this day a great resort of Papists to town. M.S. Min.]

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213. May 24. Lloyd v. Lloyd.—Petition of Evan Lloyd, Esq^re^. Complains of a decree in Chancery ordering Petitioner to pay 200*l.*, the value of a bond put in suit against him by Sir Philip Lloyd, as executor of Roger Lloyd, Petitioner's brother and fellow surety for that amount to one Thos. Moulton, on behalf of Thos. Morice, their father-in-law. Petitioner being only one of two sureties, ought to have paid but a moiety of the money. Prays for a short day for hearing, and that Sir Philip may be summoned for that purpose. [Offered to the House this day and withdrawn. MS. Min. of date: no entry in L. J.]

214. May 25. D. Albemarle.—Certificate that Christopher, Duke of Albemarle, had taken the Sacrament according to the usage of the Church of England. *See* No. **219.**

215. May 25. M. Worcester.—Similar Certificate for the Marquess of Worcester. *See* No. **219.**

216. May 25. E. Arlington.—Similar Certificate for the Earl of Arlington, Lord Chamberlain. *See* No. **219.**

217. May 25. E. Salisbury.—Similar Certificate for James, Earl of Salisbury. *See* No. **219.**

218. May 25. E. Essex. Similar Certificate for Arthur, Earl of Essex. *See* No. **219.**

219. May 25. E. Burlington.—Similar Certificate for Richard, Earl of Burlington. [The above six Certificates were produced on the 26th, when the above lords took the Oaths. L. J., XIII 590.]

220. May 27. King's Speech.—Draft Entry of King's Speech, proroguing Parliament to the 14th August. L. J., XIII. 595. *In extenso. Endorsed:* The effect of his Majesty's Speech.

221. May (?). Popish Plot.—Paper stating as follows:—"I am a servant to a Papist Lord, and one myself. Last night I was told we must suddenly be in arms, and that the King was to be killed, so was the Parliament. I abhor these bloody designs. Look about you quickly, or you are all lost. I am in haste; so must you; it is either with powder or massacre. God preserve you." [Undated; found with papers of this date.]

222. July 24. Writs of Summons, dated this day, to (*a*) James Tutchett de Audley, Chr., and (*b*) Robert Cary de Hunsdon, Chr. *See also* No. **85.**

223. Oct. 17. Prorogation.—Commission to prorogue Parliament from this day to 26 Jan. following. *Parchment Collection.* L. J., XIII. 597. *In extenso.*

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224. April 28. Isaac Amy.—Draft certificate of Clerk of the Parliaments that the name of Mr. Isaac Amy is not found in any of the Naturalisation Acts passed since the beginning of the reign of Charles I.

Annexed:—

(*a.*) 22 April. Letter from Wm. Bridgeman to the Clerk of the Parliaments, stating that the bearer, Mr. Isaac Amy, a French

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Protestant, has occasion to send to France a certificate of his not having been naturalised, an estate being left him there, of which, under pretence of his being naturalised, he is sought to be deprived.

225. April 29. Book of Rates.—Draft certificate of entry as to the rate on "Northern dozen" extracted from the Book of Rates of Merchandise, as agreed to by the Commons, and signed by Sir Harbottle Grimston, Speaker, and now remaining in the Parliament Office. Noted underneath are the name and address of Mr. Edmond Towse, Secretary to the Hamburgh Company.

226. May 17. Prorogation.—Commission to prorogue Parliament from this day to 1st July. *Parchment Collection.* L. J., XIII. 602. *In extenso.*

227. July 1. Prorogation.—Commission to prorogue Parliament from this day to 22nd July. *Parchment Collection.* L. J., XIII. 604. *In extenso.*

228. July 4. Clerk of the Parliaments.—Letter from J[ohn] B[rown] addressed to Mr. Walker, at the Parliament Office. The writer, who addresses him as "Cousin," refers to a letter sent by the Earl of Sunderland for giving leave to Mr. Mearne to peruse some Journals to find some passages of State matter, "where he will find but few materials for his project, which can be nothing else. He is a busy fellow, and meddles with those matters he understands not." The writer intends, when the Lords next meet, to move them that some course may be taken that the Journals may not be exposed or prostituted to the private designs of such inferior sort of people. Then, referring to another letter from Mr. Walker, he adds, "By what you write, there is little hope that the Parliament will sit the 22nd of July, but rather be prorogued to November, that so the discontents and disorders may be better composed, which being so many, and of so angry a nature, will not be reconciled in so short a time. Therefore I hope shortly to hear from you, that there will be no necessity of my coming to London until November, which I shall be very glad of. I do not like the complexion of affairs at present: they look with an angry face; and if the King do not carry things with moderation, troubles will soon break out. I hold Scroggs and Withings will not be persons qualified to perform the duties of those places with a general satisfaction." Dated Stanford, 4 July 1680. *Signed* J. B. *Holograph.*

229. July 22. Prorogation.—Commission to prorogue Parliament from this day to 23rd Aug. *Parchment Collection.* L. J., XIII. 606. *In extenso.*

230. Aug. 23. Prorogation.—Commission to prorogue Parliament from this day to 21st Oct. *Parchment Collection.* L. J., XIII. 608. *In extenso.*

231. Oct. 13. E. Anglesey.—Certificate that Arthur Earl of Anglesey had taken the Sacrament, according to the usage of the Church of England. L. J., XIII. 610.

232. Oct. 14. Vice-Chamberlain.—Writ of Attendance in Parliament, dated this day, to Henry Savile, Esq., Vice Chamberlain of the Household.

233. Oct. 17. E. Feversham.—Certificate that Lewis Earl of Feversham, Capt. of his Highness' Troop of H.M. Guards, and Lord Chamberlain to Her Majesty, had taken the Sacrament, according to the usage of the Church of England. L. J., XIII. 610.

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234. Oct. 21. King's Speech at the opening of Parliament. L. J., XIII. 610. *In extenso.*

235. Oct. 21. Writs of Summons to the following Lords, who took the Oaths this day (L. J., XIII. 611-2), viz.:—

(*a.*) Francis V. Newport, Treasurer of the Household, dated 24 July 1679.
(*b.*) Nathaniel (Crew) Bp. Durham, dated 24 July 1679.
(*c.*) Charles Cornwallis de Eye, Chr., dated 24 July 1679.
(*d.*) Richard E. Thanett, dated 11 Oct. 1680.
(*e.*) William (Lloyd) Bp. St. Asaph, dated 14 Oct. 1680.
(*f.*) Charles E. Shrewsbury, dated 19 Oct. 1680.

236. $\frac{\text{1680. Oct. 21.}}{\text{1680-1. Jan. 3.}}$ Test Roll.—Roll of Signatures of Peers to the Declaration in the Test Act of 1678 between 21 Oct. 1680 and 3 Jan. 1680-1. *Parchment Collection.*

237. $\frac{\text{Oct. 21 1680.}}{\text{Jan. 3 1680-1.}}$ Oaths Roll.—List of Peers who took the Oaths pursuant to Test Act of 1678 between 21 Oct. 1680 and 3 Jan. 1680-1. *Parchment Collection.*

238. Oct. 21. Garter's Roll.—A perfect catalogue of the Nobility according to their respective precedencies, delivered to the Clerk of the Parliaments this day. *Parchment Collection.*

239. Oct. 21. Trial of Peers Bill.—Amended draft of an Act for the better regulating of the Trials of the Peers of England. The original text agrees with the amended bill of 1679 (No. **144**). The only amendment of importance now made is to require thirty-five, instead of forty-five, of the fifty-one peers summoned, to appear. [Read 1ª this day; Amended in Committee of the whole House on 28 Oct., a long debate being had on the preamble: sent to the Commons on 30th and dropped after some Commons amendments were disagreed to (the last *nemine contradicente*, MS. Min. 18 Dec.). L. J., XIII. 612, 626, 631, 721, MS. Min. 28 Oct. For Lords' Engrossment *see* No. **250.**

240. Oct. 22. E. Berkeley.—Writ of Summons, dated 11 Dec. 1679, to George E. Berkeley, introduced this day. L. J., XIII. 613.

241. Oct. 22. L. Deincourt.—Writ of Summons, dated this day, to Robert Deincourt de Sutton, Chr., introduced this day. L. J., XIII. 613. *In extenso.*

242. Oct. 22. Sir Oliver Butler v. The King.—Copy Writ of Error, &c. brought in this day, with Tenor of Judgment of the House appended. L. J., XIII. 614. [The Cause was first heard on 11 Dec. 1680 (L. J., XIII. 712), *Sir Robert Sawyer*, *Mr. Wallop*, and *Mr. Holt* appearing for Plaintiff, and *The Attorney-General*, *Solicitor-General*, and *Mr. Pollexfen* for the King. The Lord Chancellor having stated the case, it was moved that the Judges might be heard to a point of law. *L. C. Justice North* said he was an assistant of the Lord Chancellor in Westminster Hall, and gave an account of what came before them there. Sir Oliver Butler, by demurring, had confessed the Letters Patent to be void. *L. C. Baron* said he conceived the *Scire facias* lay for the King properly in this case, and the Patent proper for the King. The demurrer was a confession. *J. Windham*, of the same opinion that the *Scire facias* was good for the King, and that the Writ *ad quod damnum* was the usual way, and for information to the King. The demurrer was a confession. *J. Atkins* of the same opinion. *Baron Weston:* Of the contrary opinion. He does not dis-

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pute but it is the King's prerogative to reverse his Letters Patent, but that is limited either in the King's suit barely or of a private person. Is of opinion that the judgment ought to be reversed. Ordered as in L. J. (MS. Min. 11 Dec.). The next hearing took place on 17 June 1685 (L. J., XIV. 46). *Mr. Williams*, *Mr. Holt*, and *Mr. Cresset* appeared for Sir Oliver Butler, and cited 6 Ed. IV. fol. 9 (as to the *Scire facias*), and Vaughan 345, 356, Hob. Reports 283, and 11 H. 47, the Schoolmaster of Gloucester's case. *Mr. Ward* (for City of Rochester): Every grant has this "*si non sit ad*," etc. Cites 22 H. V. fol. 15; Coke 11 Rep. 74; 11 H. IV. *The Solicitor-General* (for City of Rochester): Question whether a grant made to Sir Oliver Butler and a Writ *ad quod damnum* upon an old city be proper. The King cannot grant a *Scire facias* to annul his grant. 2 Edw. III. fol 7; things that belong to the Crown, there needs no writ of *ad quod damnum*. Whether necessary or not, it stands and falls just as the grant, whether it be to the disadvantage of another market. This does not intrench upon the King's prerogative. Question whether, this grant being obtained in prejudice of the King and city, it is not to be repealed in *Scire facias*, and brought by the King himself. E. Kent's case, 22 Edw. VI. 15, Magdalen College, Coke's Rep. Cites several cases in Rolles' and Coke's Reports. The Lord Keeper then stated the case and the House ordered as in L. J. (MS. Min. 17 June 1685).—On 29 June the Judges delivered their opinions.—*Justice Walcott* states the business as to the *Scire facias*, that it was brought by His Majesty's Attorney, that a Writ of *ad quod damnum* was returned. Is of opinion that the *Scire facias* was well brought. 16 Edw. III.; three precedents. 46 Edw. III.; from that time to this they have been frequent. As to the demurrer, Sir Oliver Butler might have had a trial at law. A demurrer confesses all the things that are pleaded. Is of opinion that it is a good judgment. *Justice Holloway:* There is a difference between a grant of the King and subject. No notice requisite in this case. Here are all the signs of deceiving the King. The Court could [not] do less than they have done, and the Patent is well reversed. *Justice Withens:* If a party may bring a *Scire facias*, it is hard if the King may not. Here is abuse of the King's Writ. Dyer's books give several cases. The Writ of *ad quod* is fraudulently executed. Sir Oliver might have taken issue on it. Conceives the judgment to be very well given. *Justice Levinz:* Of the same opinion. Cites 2 Edw., 1 H. 4. Several in Queen Elizabeth's time. *Justice Charlton:* Of the same opinion. Thinks it is not to be denied that the King has a right for a *Scire facias*. Case of the Vicarage of Gatton. *Baron Gregory:* Of the same opinion, and gives his reasons for it. As for the matter it is not to be denied. Instances case of L. Clifford. The House then ordered as in L. J., XIV. 67 (MS. Min. 29 June).]

Annexed:—

(*a.*) 19 Nov. Petition of Plaintiff for a day for hearing. L. J., XIII. 677.

(*b.*) 6 Dec. Petition of divers inhabitants of Chatham. Petitioners and most of the inhabitants of Chatham are seafaring men belonging to the Dockyard and Navy, and are greatly aggrieved by the City of Rochester having put down the market erected by Sir Oliver Butler at Chatham at a cost of over 1,000*l.*, nearly 20,000 people being thus obliged to fetch their provisions from Rochester. Pray the market may be kept up. [The signatures, which are numerous, are headed by those of the Minister and

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Churchwardens.—Brought in this day and ordered to be read at the hearing. MS. Min.]

(*c.*) 4 Jan. 1680–1. Petition of Plaintiff. Prays for a determination of the Cause in presence of the Judges. L. J., XIII. 734.

(*d.*) 24 March 1680–1. Similar petition of same. L. J., XIII. 752.

(*e.*) 24 March 1680–1. Draft order on preceding. L. J., XIII. 752. *In extenso.*

(*f.*) 1 June 1685. Petition of Plaintiff. Sets forth that the cause came to be heard before their Lordships in December 1680, but before judgment given, the Parliament was dissolved. On Petitioner's petition presented to their Lordship's House at Oxford on 24 March 1680, their Lordships appointed to give judgment when the judges should return from their circuits, before which that Parliament also was dissolved. For want of the weekly market at Chatham, which is the subject of the dispute, some thousands are totally impoverished, and Petitioner greatly injured. Prays that the cause may be revived, and a day appointed for hearing, and giving judgment. L. J., XIV. 24. [*Endorsed* as brought in 30 May.]

(*g.*) 10 June 1685. Answer of the Mayor and Citizens of the City of Rochester to a petition of Sir Oliver Butler. Respondents are content to leave the matter to the House, and are willing that the errors should be argued at any time. L. J., XIV. 36.

(*h.*) 23 June 1685. Petition of Plaintiff that their Lordships will give judgment before the recess at hand. L. J., XIV. 54.

243. Oct. 23, 1680. / Jan. 3, 1680–1. Test Roll.—Roll of signatures of Peers to the Declaration in the Test Act of 1673 between 23 Oct. 1680 and 3 Jan. 1680–1. *Parchment Collection.*

244. Oct. 23. Petitions.—Draft entry of names of Receivers and Tryers of Petitions. L. J., XIII. 614. *In extenso.* *Endorsed* 21 Oct. 1680 and 23 March 1680.

245. Oct. 23. Papists (Removal from London, etc.) Bill.—Amended Draft of an Act for freeing the City of London *and His Majesty's Court* and parts adjacent from Popish inhabitants, and providing against other dangers which may arise from Papists. The original draft is a copy of the previous Bill of 1679, as engrossed (No. **161**) embodying all the Commons' amendments (No. **161**, Annex *a*), except part of one to which the Lords' Committee on those amendments had not agreed, and one in clause ii., requiring licensed Recusants to give their names to the minister of the parish outside the City. The dates and the amounts of penalties were left blank at first. The Lords now amended this draft by filling up the blanks and excluding Recusants from the Court, as see in Annex (*c.*) below. [Read 1ª this day. L. J., XIII. 616. Laid aside in the Commons after being read 1ª and ordered to be read in a full House. C. J., IX. 650–1. *See also* MS. Min. 8 Nov.]

Annexed:—

(*a.*) 26 Oct. Petition of George Earl of Dunbarton, almost identical with that of the previous year (No. **161** *b*), but referring thereto and to the Proviso proposed on his behalf. [Read this day and laid aside after some debate. MS. Min.]

(*b.*) Draft Proviso for the Earl of Dunbarton, identical with that of the previous year (No. **161** *d*) and appended to his above Petition.

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(*c.*) $\frac{27}{29}$ Oct. Rough Draft of Lords' Amendments in C. W. H. on these days. The dates inserted in the Bill are 1st Dec. in clause i. (*see* No. **119**) and 1st Feb. in the rest of the Bill. The prohibited limits are extended to 20 miles from London or from any place where the King shall keep his Court, during such time as the Court shall be kept there. The penalty in clause i. is 200*l.* "The usual fees" are to be charged for licences under clause ii., and the penalty is 40*l.*, and 5*l.* a day. Easter term is restored in clause vi., and members expelled from the Inns of Court are not to reside in chambers there. The penalty is 100*l.*, and 5*l.* a month, half to the Society and half to the person suing. In clause vii. the penalty is 40*l.* a month (MS. Min. of 27th has 20*l.*). In clause viii. the penalty is 10*l.* a week. In clause ix. the penalty is 500*l.* In clause x., offenders not having an income of 5*l.* are to be imprisoned. In clause xii., the Proviso allowing arms for defensive purposes is struck out. Clause xiii. is struck out and a new clause (Annex *d* below) substituted. In clause xvii. (*see* No. **161** *a*) the penalty for constables, &c. is 10*l.* instead of 5*l.* The penalties in clauses i., ii., vii., and ix., are divided between the poor of the parish and the person suing. [In MS. Min. of 27th the following memorandum on clause i. appears:—If there be not provision in this Bill for speedy conviction, then this clause to be further considered. MS. Min. of 29th state that the first part only of clause xiii., concerning conviction, was to be worded by a Sub-Committee, the 2nd and 3rd parts of the clause being postponed. A memorandum also is entered for a clause to follow clause xii., for the privilege of Peers not to be sent for at the will of a particular Justice.]

(*d.*) 8 Nov. Clause providing that persons suspected to be Papists, but not convict, being summoned by two justices to take the oaths, &c., and refusing, shall, on the recording of a certificate to that effect at the next Quarter Sessions, be declared Popish Recusants Convict. [Substituted this day for clause xiii., the first part of which was ordered on 29th to be worded by a Sub-Committee. MS. Min.]

246. Oct. 23. Acts of Parliament, Revival, &c. Bill.—Draft of an Act for the revival, continuance, and explanation of several Acts therein named. The Bill revives and continues for three years, and until the end of the first session of the next Parliament, the following Acts, (1.) The Act of 13 Car. II. c. 8. for providing necessary carriages for his Majesty in his Royal progress and removals, with the additions and explanations following, viz.: The officers of his Majesty's Green Cloth, in giving notice by warrant to the Justices of the carriages required by the King, on the removal of himself or household, shall state the name and address of the officer, from whom the owner, waggoner, or driver is entitled by the Act to receive sixpence per mile, and in default of payment, such owner &c. may refuse to load or carry. The officer attending the Justices to provide the carriages required by the warrant of the Green Cloth (which shall only apply to the constables of the adjacent places), shall take care to disperse the justices' warrant, that his Majesty's service may not be neglected, and the Justices in their warrant are to repeat the name and address of the person to whom the the owners &c. are to repair for payment. If more carriages are ordered than are required, the owner shall be paid sixpence a mile for his journey to and from the place appointed for lading. Any officer

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underpaying the owner shall, on conviction before a justice, pay a fine to the party grieved. If the officers of the Green Cloth fail to specify, in their warrant, the name and address of the person from whom the owner is to receive his hire, the justices shall not issue their warrant for the carriages, and if the justices fail to repeat, in their warrant, such name and address, they shall forfeit, on conviction, the like sum as any justice, constable, &c., that shall take any gift or reward to spare any person, is liable to forfeit by the Act. The constable, to whom the warrant is directed, shall give a note in writing to the owner of the name and address of the person from whom he is to expect payment, under pain of a fine for neglect; (2.) The Act 14 Car. II. c. 9., for the relief of poor and maimed officers and soldiers; (3.) The Act of 14 Car. II. c. 20, for providing of carriage by land and water for the use of his Majesty's navy and ordnance; (4.) The Act of 14 Car. II. c. 33, for preventing abuses in printing seditious and treasonable and unlicensed books, &c., with the alterations and additions thereunto made in the Act of 16 Car. II. c. 8. for continuance of a former Act for regulating the press. The Bill then continues for seven years an Act of 14 Car. II. c. 2. for repairing the highways and sewers, &c., in London, and by way of addition thereto provides that no person shall be qualified as a Commissioner under the Act, who is not an inhabitant, within the bills of mortality, and has not a revenue of 400*l.* a year. In case of death or removal, a majority of the surviving Commissioners shall appoint to the vacancy. The first meeting of the Commissioners shall be held in the Inner Court of Wards at Westminster, and the second in the Irish Chamber in Guildhall, and so alternately. No Commissioner under this Act shall be liable, by virtue of their office, to any of the penalties, mentioned in the Test Act of 1673. Timber and irregular buildings erected in London since 18 Feb. 1661–2, shall be deemed nuisances to be removed by the Act. And whereas divers complaints have been made to the Commissioners by many poor hackney coachmen, that had their licenses taken from them by certain Commissioners for licensing and regulating hackney coaches, the Bill authorizes any five of the Commissioners, upon petition from the hackney coachmen, to send for the persons complained of, and determine the complaint and award damages. No hackney coach (excepting stage coaches) shall ply for hire in London, without a license, and no licenses shall be renewed, until payment is made to the late Commissioners for hackney coaches of what was due at the feast of the Annunciation in 1679. No person keeping a victualling house or training or dealing in horses for coaches, shall be debarred, as such from obtaining a license to drive a hackney coach. The Clerk of the Commissioners shall register the names of all persons licensed to drive hackney coaches, with the figures or marks to each coach. The Commissioners, upon certificate from the justices, are required to cause to be paved and amended such grounds or passages, at the end of streets or lanes, as are not liable to be repaired by any particular person or where the liability is disputed. And because the inhabitants in the street, where hay and straw are usually sold, commonly called the Hay Market, in or near Pickadilly Street, are much inconvenienced by the standing of the carts therein which bring the same, the bill requires the Commissioners, out of the toll money on the hay and straw, or other money at their disposal, to keep the street paved and clear of rubbish. No pavement shall be made by the Commissioners but what shall be of squared or headed Rag Stones. The Commissioners are empowered to contract with any person willing to carry away ashes, &c., at lesser rates than the yearly Raker or Undertaker for other places besides those mentioned in the former Act, provided that such contract be approved

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by the churchwardens and vestry of the parish. The sums assessed in each parish for cleansing the streets shall be accounted for yearly by the scavengers to two of the Commissioners residing in or near the parish within four days after the election of new scavengers for the next year, under pain of imprisonment for refusal. Any parishioner aggrieved by any such assessment may appeal to quarter sessions, whose judgment shall be final. The days appointed by the Act for scavenging the streets may be altered, and other ordinances made by the Commissioners, if found expedient. No person shall be convicted for any offence under the Act, unless he is present to answer the charge. The last two clauses of the former Act are repealed. The Bill then recites and makes perpetual the following seven Acts, viz.: (1.) So much of an Act for enlarging and repairing common high-ways (14 Car. II. c. 6.), as is not repealed by any other statute, except the power of raising and levying money by virtue of the Act. (2.) So much of an Act for the better relief of the poor (14 Car. II. c. 12), as is not repealed by any other statute, with additional provisions as follows, viz., that, whereas many persons lie concealed in parishes till the forty days of settlement are expired, if any person shall come to lodge or settle in a parish in a tenement under the yearly value of 10*l.*, and fail to give notice within a week of his coming, the churchwardens or overseer may complain thereof to a justice at any time within a year, and have the benefit of the Act; also, the better to prevent poor and vagrant people from clandestine settlements, that the churchwardens &c., shall, on pain of fine, keep in the vestry a register of all parishioners, living in houses under 10*l.* yearly value, and shall every three months make search if any person has come to settle without notice. Provided that if any person, purposing to remove from his parish, is not able to give the security under the Act, the Churchwardens, &c., of that parish may give bond to those of the parish where the person wishes to settle, to save the latter harmless from being charged thereby; and if the person shall become chargeable to the new parish, the justices may compel the churchwardens, &c., who gave the bond to relieve them, or in default may remove him into their parish. Persons committed for returning from their proper parish without a warrant, shall after due correction be sent back to the parish from which they returned. (3.) An Act (14 Car. II. c. 21), for preventing the unnecessary charge of sheriffs, and for ease in passing their Accounts. (4.) An Act (14 Car. II. c. 32), for regulating the manufacture of Broad Woollen Cloth within the West Riding of Yorkshire. (5.) An Act (16 & 17 Car. II. c. 8), to prevent arrests of judgment, and superseding Executions. (6.) An Act 19 & 20 Car. II. c. 10), for giving liberty to buy and export leather and skins tanned or dressed. (7.) An Act (22 & 23 Car. II. c. 23) to revive an Act to prevent disturbances of seamen, &c., with the additional provision now made for the better encouragement of seamen, that any well-disposed person may build and endow a hospital for poor and maimed mariners without a licence or writ of *Ad quod damnum*, the Statute of Mortmain or any other law to the contrary notwithstanding. Lastly, the bill recites that whereas the Statute 43 Eliz. c. 2, for relief of the poor has, by the Acts 1 Jac. I. and 3 and 16 Car. I. been amended and continued till the present Parliament, whereby great inconveniences have ensued; therefore this Bill provides that the said Act for the relief of the poor as amended shall only continue to the end of the first session of the next Parliament; and if any churchwarden or overseer thereafter relieve, out of any money raised under that Act, any but such as are lame and impotent, old or blind, and not able to work, he shall, on conviction before a justice, pay a fine, leviable by distress, to be divided between the poor and the

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informer. Magistrates allowing any such payment to one able to work shall likewise be liable to a penalty recoverable by the person suing. [Read 1ª. this day L. J., XIII. 616. No further proceedings.]

Annexed.

(*a.*) Breviate of the Bill.

247. Oct. 25. Popish Plot (Sir T. Gascoigne).—Deposition of Lawrence Mowbray, taken this day before the E. of Clarendon and E. of Craven, Justices of the Peace for Middlesex. States that in 1676 Sir Thos. Gascoigne held a correspondence by letter with L. Bellasis, and that Deponent saw two letters from L. Bellasis to Sir Thos. Gascoigne, the first to desire his speedy contribution for the "good design of bringing their religion into England"; the second applauding the bounty of Sir Thomas and his zealous affection towards the design, and assuring him that L. Petre, himself, and others had paid in their contributions. That about Midsummer 1676, Thos. Gascoigne, Esq., brought a letter from L. Petre in London to Sir Thomas, expressing much zeal for the design of establishing their religion, and promising to omit nothing that might conduce to their Church's interest, either upon fair and easy terms, or by force, as it was agreed upon at a late Consult at Father Harcourt's Chamber, and accordingly they had despatched several special messengers into France and other parts, and expected their return with Commissions to proceed therein. Deposes further that Thos. Gascoigne, Esq., at his return told Sir Thos. Gascoigne and Father Rushton that he was at the Consult at Father Harcourt's Chambers, where were present L. Bellasis, L. Petre, L. Arundel, and another lord or two, and one Pierpoint and others, and where it was unanimously agreed to bring in their religion either by fair and lawful means, or by force; and accordingly, they had made a contribution of money for the more effectual proceeding therein. Deposes further that Thos. Gascoigne, Esq., told Sir Thomas and Father Rushton that he had the writing wherein L. Bellasis, L. Petre, L. Arundel and another lord or two, and one Pierpoint had engaged themelves in 100,000*l.* a piece to Father Harcourt and three other Jesuits, and the whole Society of the Jesuits in England, to be active in the bringing in their religion by fair means or foul, and to omit nothing that might conduce to the speedy propagation thereof in England. The said Thos. Gascoigne, Esq., told them at the same time that it was committed to him to show to the Papists in Yorkshire, Lancashire, and other parts of the north for their better encouragement, and to get some other Lords to subscribe to it. Deposes further that within three or four days after the said discourse, he saw the said writing in Father Rushton's Chamber, sealed and subscribed by L. Petre, L. Bellasis, and L. Arundel and another Lord or two, and by one Pierpoint. Sworn this day. *Endorsed*, Received 27 October 1680. [Mowbray was examined by the Committee for Examinations this day, and gave evidence to the above effect. On the 26th Capt. John Baines was examined. He said he never saw any paper signed for carrying on the Plot. Noticing at Barnbow at Sir Thos. Gascoigne's several meetings of Papists, namely, Sir Miles Stapleton, Ingleby, a Lawyer, Tempest and others, he asked Bolron, his steward, what they came there for, and was told that they were relations of Sir Thomas, who, he thought, were about to build some monastery. While there, he (Baines) saw two chapels consecrated by one Rushton, one at Barnbow, and the other at Parlington, and he heard mass at both of them. Mowbray and Bolron told him about the same time that papers were signed. Lady Tempest told him, when about to go to Ireland, that he had the repute of a good soldier, and there would erelong be work for him here, for the King was a heretic, and he

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had broken his word with the Catholics while he was abroad, and would never prosper. Mr. Warcup was then ordered to take his examination. On 6 Nov. Bolron added to his previous evidence before the Council, that Mr. Gascoigne and he and several others had pistols hallowed to kill Protestants with, and had indulgences for several years; he himself had one for 30,000 years. Father Rushton swore him to secrecy. Exam. Book of dates.]

248. Oct. 27. Fletcher v. King.—Petition of John King, Doctor in Physic, praying for leave to take out execution on his judgment below against Christopher Fletcher, the latter not having hitherto transcribed the Record or brought it into the House. L. J., XIII. 621.

Annexed:—

(*a.*) 15 Nov. Petition of same. Fletcher has brought in the Record, but has not assigned errors. Prays that the record may be remitted for execution. L. J., XIII. 670.

(*b.*) 8 Dec. Petition of same, praying that the *Certioraris*, applied for by the plaintiff, may be ordered to be returned speedily, or that his judgment may be affirmed. L. J., XIII. 707.

(*c.*) 8 Jan. 1680–1. Petition of same for a day for hearing. L. J., XIII. 739.

249. Oct. 28. Popish Plot (Reports of Trials).—Motion paper, signed John Combe, praying their Lordships to allow him to print and publish the reports of the trials of E. Castlemaine, Mrs. Cellier, Henry Care and John Giles, all of which are taken with considerable pains. L. J., XIII. 626.

250. Oct. 28. Trial of Peers Bill.—Lords' engrossment of an Act for the better regulating of the Trial of the Peers of England. Identical with No. **239** as amended. *Parchment Collection.* [Ordered to be engrossed this day. L. J., XIII. 626.]

251. Oct. 28. Chichester (Churchwardens v. Bishop).—Petition of the Churchwardens and overseers of the poor of the parish of St. Peter's the Great *alias* the Sub-deanery in Chichester. Complain that the Bishop of the diocese, who is an inhabitant of the parish, refuses to pay the poor rate, or to give anything in lieu thereof, according as his pious predecessors had done, but stands upon his privilege. Pray for leave to proceed against his Lordship. *Signed* by Ri. Farington and George Stamper, Churchwardens. L. J., XIII. 626. [The bishop, being heard this day, said he would not stand upon his privilege; he had paid more to the poor than was rated. MS. Min of date.]

252. Oct. 30. L. Butler of Weston.—Writ of Summons, dated 24 July 1679, to Richard Butler de Weston, Chr., who took the Oaths this day. L. J., XIII. 628.

253. Oct. 30. Turner v. Dodd.—Petition and Appeal of Gawen Turner, Gent., and Anne, his wife, complaining of a Decree of Chancery of the 30th of June 1679 concerning certain lands, &c., at Epsom, and praying that Edward Dod should be ordered to answer. [Put in this day, and read on 3rd Nov. L. J., XIII. 632.]

Annexed:—

(*a.*) 10 Nov. Answer of Edward Dodd. Peter Evans was seised in fee of the Manor of Ashtead, and mortgaged it to John Robinson. Evans died about 1661, having devised the equity of redemption to Sir John Lloyd and John Wall in trust for his son Peter Evans. Lloyd bought out the mortgagee, and died intestate, and his widow Dame Beatrice married Sir Thomas

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Smith. But in 1664 Elizabeth Evans, widow of Peter Evans the father, apprehending that Sir John Lloyd had received more from the estate than would pay off the mortgage, sued Sir Thomas and Dame Beatrice for an assignment of the mortgage and account, and the latter were ordered to convey the mortgage to Peter Evans the son, who then entered into the lands. But Sir Thomas and Dame Beatrice died before executing the conveyance. Peter Evans, however, being in possession, and affirming he was seised in fee, mortgaged the lands for 150*l.* to John Draper, who died in 1676, and Respondent, his Administrator, had enjoyed the premises until Appellants, as Administrators of Sir John Lloyd, taking advantage of the Smiths' disobedience to the Decree in not conveying Robinson's mortgage to Evans the son, obtained a verdict against Respondent, whereupon the Decree was made which the Appellants complain of. Prays to be dismissed. [Dated this day. No entry in Records.]

254. Oct. 30. Popish Plot (Wm. Snow).—Petition of William Snow, to the Lords' Committees for Examinations. Sets forth that he was employed by the House and the Committee to seize and summon persons, and search places, in which service he is still near 20*l.* out of pocket, besides having spent near five months' time in that service to the great hazard of his life. Prays that the money remaining in the hands of Mr. Relfe, the Clerk of the Committee, may be given to Petitioner. [Read this day at the Committee, and D. Monmouth moved he should be rewarded. 50*l.* was ordered to be paid him by Mr. Relfe out of 100*l.* in his hands. Snow, who is described as a doorkeeper, was granted 20*l.* more on 4 Jan. Exam. Book of dates.]

255. Oct. 30. Hill v. Boomer.—Writ of Error, &c., brought in this day. L. J., XIII. 630. *Parchment Collection.* *See also* No. **273.**

256. Oct. 30. Irishmen in London.—Certificate of Justices of the Peace for Surrey, addressed to the Committee for Examinations, that after due search made in the borough of Southwark, pursuant to the Order of the House (*See* L. J., XIII. 619), the Constables had found there no Irish inmates or lodgers, except three, viz., Richard Thresser, Shoemaker, and his brother Francis, a Worsted Comber, both young men, who are Protestants and have only been two months in England, and one Wm. Carey, an old man, once a soldier, but now fallen to poverty and begging. The Justices have caused these, nevertheless, to be secured, pending their Lordships' pleasure. *Dated* this day and signed John Freman, Tho. Lee, and Ja. Brading. [The two Thressers were brought before the Committee on 3 Nov., and discharged with certificates *gratis*, the Committee being satisfied that they were Protestants. Carey pretending to be a Protestant was also discharged, but without a certificate. Exam. Book 3 Nov. Another batch of Irishmen were brought before the Committee by Mr. Warcup this day. *ib.* Oct. 30. *See also* Nos. **270** and **316.**]

257. Nov. 3. L. Ward.—Writ of Summons, dated 24 July 1679, to Edward Ward, Chr., who took the Oaths this day. L. J., XIII. 631.

258. Nov. 3. L. Conyers.—Writ of Summons, dated 1 Nov. to Conyers Darcy, Chr. [Introduced this day. (L. J., XIII. 631). The MS. Min. add that E. Aylesbury supplied the place of E. Marshal, and L. Maynard that of L. Great Chamberlain, Garter carrying the writ, which being presented to the L. Chancellor was read by the Clerk. L. Conyers being called in again after some debate, was placed in the

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place of his father's late barony, viz., next below the L. Stourton. Then his Lordship was desired to withdraw and forbear taking the oaths, etc., till to-morrow morning, by reason of the business of the House not to be interrupted, which he did accordingly.]

259. Nov. 3. E. Strafford's Privilege.—Complains of breach of the Earl of Strafford's privilege by Robert Whitrow, who caused his Lordship's servant, Mr. Francis Knollys, to be served with a warrant to be sworn as constable for Covent Garden parish, and pricked down as such. L. J., XIII. 632, 683. Priv. Book 22 Nov.

260. Nov. 3. L. Hunsdon's Privilege.—Petition of Robert, Lord Hunsdon, complaining of the arrest of his servant Joseph Bodenham by James Cooper, a bailiff, and his followers, at the instance of one Nicholas Gorey, a Frenchman. Prays their Lordships' justice against the offenders. L. J., XIII. 632.

261. Nov. 4. Walter v. Countess of Sheppey.—Petition of Sir William Walter, Bart., complaining that having taken proceedings at law to discover the personal estate of his late uncle, David Walter, Esq., he is obstructed by his uncle's relict, the now Countess of Sheppey, who claims privilege, contrary to her promise. Prays for leave to proceed against her. L. J., XIII. 633. [The Petitioner was heard on the 10th, when the question turned on whether the lady, who had been created a Peeress *pendente lite*, could plead her Privilege under the circumstances. Ultimately her claim of Privilege was dismissed, and the Order of 20 March 1676, allowing Privilege to Noblewomen and widows of Peers, revoked. L. J., XIII. 659 and MS. Min. 10th Nov.]

262. Nov. 6. Grosvenor v. Cartwright.— Petition and appeal of Fulke Grosvenor, Esq., and Mary his wife, and Dorothy Cartwright, an infant, (by the said Grosvenors, her guardians) children of William Cartwright, son and heir and only child of John Cartwright, late of Aynhoe, Esq., deceased. Petitioner Mary ought to have had administration of her Grandfather's estate; but her stepmother Ursula Cartwright, by various pretences, had obtained it, and had also concealed a Will of John Cartwright under which Petitioners were entitled to 2,000*l.* a piece. Ursula had, moreover, drawn Mary into articles to take less than her share of the Estate, and had introduced a Bill into Parliament to confirm them, to which Petitioners, on discovering the Will, had refused their consent. (*See* Calendar, Ninth Report, No. **474.**) The Court of Chancery had quitted Ursula from discovering her dealings with the Estate, and had not awarded Mary her 2,000*l.*, or costs to the Petitioners. Appeal against the Decree, and pray that Ursula and her children Thomas and Rhoda should be ordered to answer. L. J., XIII. 653. [The Appeal was heard on 10 Dec. *ib.* 711. Counsel for Appellant were *Sir John Churchill* and *Mr. Rawlinson*, and for Respondents, *Mr. Keck*, *Mr. Phillips*, and *Mr. Hutchins*. MS. Min.]

Annexed :—

(*a.*) 12 Nov. Petition of Ursula Cartwright, Widow, and of Thomas and Rhoda Cartwright, infants, her children, for ten days further time to answer. L. J., XIII. 663.

(*b.*) 13 Nov. Petition of Appellants that further time to answer should be refused, Respondents' petition being merely for delay, and she having 40,000*l.* of the Estate in her hands, to part of which Appellants are entitled. L. J., XIII. 664.

(*c.*) 17 Nov. Answer of Respondents. The Decree in Chancery was just, and as to the sentence of the Delegates, giving Respondent administration, it is not appealable to the House. [Brought in this day. MS. Min. *See also* L. J., XIII. 686.]

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(*d.*) 24 Nov. Petition of Appellants for a short day for hearing. L. J., XIII. 686.

263. Nov. 6. Percy v. Blackston.—Copy Writ of Error, &c., brought in this day, with Tenor of Judgment appended thereto. L. J., XIII. 653. [The Appeal came on for hearing on 9 Dec. 1680. Mr. Percy suggests that no Counsel will appear for him. The *Attorney-General* states the case that the writs are brought for delay to pay costs. *Mr. Pollexfen* appears for the Countess of Northumberland. The errors assigned are read, and on consideration Appeal dismissed. MS. Min.]

264. Nov. 6. Popish Plot (E. Castlemaine and Roger L'Estrange).—Report of Sir George Charnock, the Serjeant-at-Arms, that he had searched at Darney near Maidenhead, and at Filmire, 3 miles beyond Uxbridge, but could not find Lord Castlemaine, but that his Deputies had found two altars and several large books at his lodgings at Charing Cross. He had not been able to find Roger L'Estrange. [Addressed to the Lord Chancellor, for the House. Not noticed in records. Information was given to the Committee for Examinations against E. Castlemaine on 28 Oct. by Turberville and de Feria, the former of whom said he had seen the Earl say mass, in the habit of a priest, at Mr. Pierce's, a linen-draper in Vere Street. (Exam. Book 28 Oct., L.J. XIII. 625.) Information against L'Estrange was first given to the Committee on 25 Oct., when *Lawrence Mowbray* said that in June 1677, one Anderson's acquaintance, clerk to Mr. Allabon in Grays Inn, being with him, saluted a man in the Queen's Chapel immediately after mass, who, he told witness, was the Mr. L'Estrange who licensed books. He has seen him there at mass since then. *Miles Prance* said he also had seen L'Estrange there, kneeling at mass. *Oates* said that L'Estrange was concerned in young Tonge's conspiracy against him, and would take his information. He had harboured priests to his knowledge. *Wm. Green* deposed that about two years since, upon enquiry for one Smith, a constable, who lived near L'Estrange, a maid who came in, said "You have often searched for Papists; why do you not search there (pointing to L'Estrange's house) for them"; but this evidence was rejected by the Committee. On the 28th *John Curtis* deposed that L'Estrange came to his house and charged him with dispersing pamphlets, but told him that if he would tell who employed him, he should come to no trouble, and added that he believed witness was put on by Dr. Oates and his gang, and he hoped to see them all hanged. One Stevens is also referred to on the 26th as a witness against him, but his evidence on 28th with regard to some Popish books at Charles Corbie's house was considered unfit to be recorded, as being most frivolous. On the 30th the Committee, after taking evidence from Fletcher and Bennett, ordered to report as in L. J., XIII. 629, 630. (Exam. Book of dates.) *See also* Nos. **334, 335.**]

Annexed:—

6 Nov. Duplicate of preceding, addressed to Lord Shaftesbury, for the Committee for Examinations.

265. Nov. 6. Utting v. Copleston.—Writ of Error, &c., brought in this day. L. J., XIII. 653. *Parchment Collection.* *See also* No. **331.**

266. Nov. 6. Fletcher v. Legg.—Writ of Error, &c., brought in this day, L. J., XIII. 653. *Parchment Collection.*

267. Nov. 7. L. Crewe.—Certificate that Thomas, Lord Crewe had received the sacrament according to the usage of the Church of Eng-

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land. [Produced at the Bar on the 13th, when he took the oaths. L. J., XIII. 664.]

268. Nov. 7. E. Bath.—Similar certificate for John, Earl of Bath. [Produced at the Bar on the 9th, when he took the Oaths. L J., XIII. 656.]

269. Nov. 8. Conspiracy in Ireland (Dr. Plunket).—Petition of Doctor Oliver Plunket to the King and the House of Lords. Petitioner, being very ancient and subject to divers infirmities, has great want of his servant to attend him. Petitioner for the most part still lived in Ireland upon the benevolence of others, and being brought to Dundalk last July, where his trial was put off for want of sufficient proof, and having spent there his small stock providing several witnesses for the defence of his innocence and for his own relief, he was ever since maintained, and also brought hither, upon his Majesty's charges. Prays to be allowed his servant, and to be maintained upon his Majesty's charge during his imprisonment. *Endorsed:* "8 Nov. 1680; delivered in but not read." [In the Committee for Examinations on 26 Oct. notice being taken that Plunket had been sent for by the Council, but had not yet come, agreed to report for an Address to bring him over (Exam. Book). The House, on this report, voted an address, and on the 27th the King answered that he would give orders accordingly. L. J., XIII. 620, 622. On 28 Oct. Mr. Hetherington desires that the examinations of James Maccanagh and a bag of papers which were taken after the escape of a secular priest and brought to L. C. Justice Booth, may be sent for. Ordered to report this to the House, and that something may be given for the charge of bringing over the witnesses. The E. Essex acquaints the Committee that he, having several original papers in his hands very material against Plunket, sent them into Ireland, supposing his trial would be there, but Plunket being to come over he desired they might be sent for again. He would give the clerk a list of them. The Committee ordered the clerk to attend a Sub-Committee, consisting of E. Shaftesbury, E. Essex, and E. Burlington with the papers that came from the Council that related to Ireland. The Sub-Committee was ordered to peruse them and give the Committee an account (Exam. Book 28 Oct.). On 3 Nov. the Committee was informed by Mr. Hetherington that James Maccannagh, Plunket's servant, had been examined in Ireland, and was a material witness against Plunket, and had been apprehended by Capt. Richardson. Hetherington desired he might have an order for securing him; and the Committee ordered Mr. Warcup accordingly to commit him. The E. Shaftesbury acquainted the Committee that himself, the E. Essex, E. Burlington and V. Fauconberg had met as a Sub-Committee, and had perused certain informations against Plunket, and had heard Mr. Hetherington, Mr. Murphy, Mr. Fitzgerald, Macnamara, Bourke, etc., who could say much against him and E. Tyrone, and proposed whether the Committee would hear it all over here again, or only hear them at the bar. Ordered that the House be moved to sit early to hear the said persons and informations. The L. Butler of Weston gave the Committee an account of what proceedings had been in Ireland against Plunket. He said there would come a narrative from Ireland of the whole proceedings there since the first discovery of the Plot. (*ibid.*, 3 Nov.) On the 6th Justice Warcup gave in an abstract of what papers were in Plunket's bags, as also the papers sealed up. Capt. Richardson informed the Committee that Plunket desired pen, ink, and paper to write a petition. Ordered that the House be acquainted with it. (*ib.* 6 Nov. L. J., XIII. 652.)

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Annexed:—

(*a.*) 10 Nov. Draft Entry of Statement made by Capt. Richardson, Governor of Newgate, informing the House that Plunket desired to come to the Bar to make discoveries. L. J., XIII. 658–9. *In extenso.* [Capt. Richardson being sent for and sworn this day, was asked by the Lord Chancellor what he had to say of Plunket, and replied that Plunket told him there was an Irish plot, and he would discover it, and that this morning he said he knew somewhat of L. Tyrone. Richardson was then ordered, without an Order in writing, to go and fetch Plunket to the Bar. Richardson later, on bringing Plunket, said that the latter had told him that if he had been asked concerning betraying it to Spain, he would have told the House when he was here last. Plunket on being brought, and asked what he had to discover, said he had never written to any French Messieurs. He had had no transaction with Mr. Mohun, except letters of civility. E. Essex asked him if he were not with Mr. Mohun; he confessed he had (*sic*); it was to make Plunket and the other bishops of Ireland friends. Being asked if he knew not of any conspiracies, he said he knew something of it; that about a hundred times he was threatened to be killed, if he did prosecute the Tories. That his life being aimed at, he mistrusted that there was a plot against the English. Being asked if he could name any persons that had entered into recognizance to kill the Irish, he made no answer. (MS. Min. 10 Nov. *Comp.*, L. J., XIII. 658–9.) On 17 Dec. Capt. Richardson told the Committee that he had lately a discourse with Plunket, wherein he asked him whether all the Papists in Ireland were not yet massacred, and said further that he had done the greatest prejudice in the world by saying that there was a plot in Ireland. He said he found Plunket was under a great disturbance with himself, and that he left two trunks with one Moore, in Ireland, the keys whereof were here, but where that Moore was, he knew not. On 7 Jan. the Committee, being informed by Capt. Richardson that Plunket had some money in Sir Valentine Brown's hands in Ireland, namely, 76 guineas, 2 Carolus, 1 Jacobus, 84 plate pieces, and in Mr. Hoare's hands ten pounds, which he desired to have sent over for his maintenance in gaol, gave leave accordingly. (Exam. Book of dates.)

(*b.*) Original draft of preceding. Two papers. One of them adds these words :—That he was courted by the most eminent in the province of Ulster to take Father Patrick's brother in to his living again, and by many others, but would not do it, when Father Patrick was in England.

(*c.*) 9 Dec. Motion paper for leave for Murphy to print his examinations. L. J., XIII. 709. [Murphy's information, as first reported to the House (L. J., XIII. 632), was taken before a Sub-Committee, consisting of E. Shaftesbury, E. Essex, E. Burlington, and V. Fauconberg. Exam. Book, 3 Nov.]

270. Nov. 8. Papists in London (Returns).—Letter of the Lord Mayor of London to the Lords' Committee for Examinations. States that in obedience to an order of the House of the 30th October last, he issued forth a precept to the Aldermen to cause their constables to take an account of what lodgers and inmates were in any inhabitants' houses in their wards. Transmits abstracts of the returns so made to himself and other justices of the peace. *Signed* J Ward, Mayor, and

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dated Skinners Hall, 8 Nov. 1680. [On 25th Oct., four days after Parliament met, the House, "upon complaint of the great resort of Irish "Papists to the cities of London and Westminster," (MS. Min.), made an order requiring the Lord Mayor, Sheriffs, and Justices of London, Middlesex, and Surrey, to apprehend all Irish lodgers or inmates, and report the names of the persons seized to the Committee of Examinations, and also an order referring it to the Committee to take an account of all inmates and lodgers in London and Westminster, contrary to the Proclamation, and to consider what was fit to be done concerning them (L. J., XIII. 619). The Justices of the Peace for Middlesex and Westminster, *Sir W. Smith*, *Mr. Warcup*, *Mr. Newman*, and others, having been summoned by the Committee to attend and explain, why they had not put in execution the King's late proclamation concerning Papists, said they made an order for searching and ordered all places to be searched at the same time, to the end there might be no shifting of lodgings. The Committee then ordered that the House be moved that all housekeepers might be obliged to give an account once within twenty-four hours to all constables of precincts of what lodgers were in their houses, and the constables to give in the said account to the Justices, who were to meet every other day, and take the said account upon oath. (*See* L. J., XIII. 629.) *Sir J. Cutler* said that *Mr. Farwell* and he gave order to the constables to search from time to time. *Mr. Warcup* delivered in a list of such Irishmen as had been seized, and the Committee after examining them separately, discharged several, who were found to be Protestants. The Justices were then told it was their duty to put the late proclamation into execution. They were desired to do it effectually, and to take the accounts from the householders upon oath of what lodgers they had, and to meet every other day. (Exam. Book, Oct. 28 and 30, and Nov. 3). On 3 Nov. several constables attending with Irishmen whom they had apprehended, but the Justices not attending with them, the constables were ordered to hand them back to the Justices who sent them. On the 6th. *Mr. Reding* and *Mr. Freeman*, Justices of Southwark, said they had taken account in Southwark of what inmates and lodgers were there, and did not find more than 30 or 40 strangers. They said the order directed them only to take account from the constables on oath, and not from the inhabitants. The Committee thereupon ordered that the House be moved to enlarge the order, so as take the account upon oath from the housekeepers, and that the pleasure of the House be known whether the said accounts should be brought to the House or Committee, or how they should be disposed of. (Exam. Book) (*See* L. J., XIII. 652.) On 9 Nov. Thos. Weston delivered in from the Lord Mayor Abstracts of the account he had taken (Annexes below); and on the 11th *Sir Deerham* acquainted the Committee that the Lord Mayor had formerly given an account of what Irish were found in the City, before the late order came to him. (Exam. Book.) *See also* Nos. **256** and **316**.]

Annexed:—

Returns as follows:—

Name of Ward.	Inmates and Lodgers.	Papists or reputed Papists.
(*a.*) Aldersgate - - -	424	—
(*b.*) Aldgate - - - -	548	4
(*c.*) Bassishaw - - - -	55	6
(*d.*) Billingsgate - - -	108	—
(*e.*) Bishopsgate Without (First Division).	257	5

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(*f.*)	Bishopsgate Without (Second Division).	305	1
(*g.*)	Broad St. - - - -	342	18
(*h.*)	Cripplegate - - -	780	3
(*i.*)	Coleman St. - - -	189	3
	Cordwainer - - -	194	—
	Cheap - - - -	157	11
	Candlewick - - -	123	1
	Castle Baynard - - -	258	3
	Bread St. - - -	61	—
	Farringdon Ward - -	1,090	3
(*k.*)	Vintry - - -	315	6
	Bridge Within - - -	171	1
	Queenhithe - - -	159	—
	Portsoken - - -	146	3
	Tower - - - -	367	5
	Walbrook - - -	204	4
(*l.*)	Farringdon Without - -	1,453	No return.
	Farringdon Within - -	770	„
	Lime Street - - -	132	„
	Cornhill - - - -	33	„
	Broad Street - - -	19	„
	Langborn - - - -	211	„
	Dowgate - - - -	161	„

271. Nov. 9. Popish Plot (Barrow.)—Petition of Samuel Barrow, Gent., to the Committee for Examinations. Petitioner in 1678 was empowered by the Committee to apprehend and seize the persons, books, beads, pictures, chalices and crosses of notorious Jesuits, priests, and papists, which duty, as by the account annexed, he performed effectually. He has as yet received only 15*l.*, though he has spent more than 20*l.* in porters, cart-hire, &c. The Committee, being acquainted with the great sufferings and loyalty of Petitioner's father, who lost 1,500*l.* a year in the service of the late King, and also with Petitioner's services to his present Majesty at sea, having been in four several engagements, recommended Petitioner, on his application, to ride in his Majesty's Guards, which place Petitioner has hitherto to no purpose expected, to his expense of near 50*l.* and to his utter impoverishment. Prays to be paid the said 20*l.* out of pocket, and some allowance for the money expended in expectation of riding in the Guards, with some other reward for his services. *Endorsed* as dated. [The Committee on 11 Dec. ordered Barrow to be paid 20*l.* by John Relfe, the clerk attending the Committee, out of the money in his hands, for services done in relation to the discovery of the Plot. Exam. Book, 11 Dec.]

Annexed:—

(*a.*) 9 Nov. Account of proceedings by S. Barrow, pursuant to orders of the Committee. They relate to seizures of books and pictures at Lady Somerset's, of four papists and a silver chalice and beads, &c., at Edward Billingsley's, of a priest named Naylor *alias* Carpenter at Mary Westby's, of books, &c. at Thomas Matchett's, of one who testified as to Popish practices and storing of arms by Justice Wild, of Mrs. Evershott with Popish books, &c., of books, &c. at Mr. Pickett's, Mr. Bradley's, Mr. John Pomfreat's, Mr. John Roberts', Mr. Dayntes', who harboured John Aston, who corresponded with Evers, a Jesuit, and at a house in Staple Yard, at Mrs. Bason's, Mr. Sharpe's, and in Green Street, of a priest at Mr. Talbot's, and of a papist at Mr. Worsley's. [Appended to preceding.]

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272. Nov. 9. Popish Plot (Needler.)—Petition of Culverwell Needler to the Lords' Committee of Examinations, praying for compensation for his services, having attended the Committee for a month as a writing clerk. [The Committee ordered 5*l.* to be paid him. Exam. Book of date. *See also* L.J. XIII. 478.]

273. Nov. 9. Hill v. Boomer.—Petition of John Boomer, praying that either a short day may be fixed for Plaintiff to assign errors, or that the transcript may be remitted for execution, as Plaintiff only seeks delay. L. J., XIII. 656. *See also* No. **255**.

274. Nov. 9 / Nov. 22. Commissions of the Peace.—MS. Minute book of the Committee appointed to inquire into the several abuses in altering the Commissions of the Peace. Begins this day: ends 22 Nov. For contents of book *see* following number. [The Committee was appointed 8 Nov. L. J., XIII. 655. The MS. Min. have the following: It is moved that his Majesty may be addressed for examining the reason of turning out many Justices of the Peace, etc. After a long debate concerning this matter, It is moved that a Committee may be made to examine who are put out and in, and why. Question, Whether a Committee shall be made to enquire how and by what counsels the Commissions of the Peace came to be altered, before an Address be made for reviewing the Commissions. Question, Whether a Committee shall be appointed to enquire into the several abuses in altering the Commissions of the Peace, before an Address be made for reviewing the said Commissions. The House named a Committee, etc. as in L. J.]

275. Nov. 9. Commissions of the Peace.—Lists of Justices of the Peace with marginal notes against the names put in or put out by warrant, dated. [The J. P. Book (No. **274**) states that on 9 Nov. the Clerk of the Crown produced his warrants from the L. Chancellor for reviewing and changing the Commissions. Some of these were read, and the Clerk of the Crown was directed to make an extract of the Warrants showing the changes of the last year; and a similar direction was addressed to the Chancellor of the Duchy of Lancaster. On the 10th Mr. Barker, the Clerk of the Crown, brought in lists for half the Counties, which was all he could do in the time; and the Chancellor of the Duchy sent in by Sir John Ottoway a list for Lancaster.]

The lists are for the following counties, the names of Justices put in or put out being given below, viz.:—

(*a.*) Anglesea.

Left out by warrant of 5th Feb.
George D. Bucks.

(*b.*) Bedfordshire.

Left out.
15 Jan.
George D. Bucks.
4 Feb.
Will. Beecher, Knt. } [Members of Parliament and men of great estates in the County (J. P. Book, 10 Nov.).]
Will. Franklyn, Knt. }
Rob[t] Audeley [a lawyer and of good repute, and hath served His Majesty well (*ib.*)].
John Neale.
Thos. Hillersden.
Gains Squire.

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Will. Gery,
John Rotheram of Luton,
Rob^{t} Crompton,
Samuel Ironside.
[All of very good estates and worthy persons (*ib.*).]

23 April.
John Harvey [of Thurley],
Mathew Dennys,
[The Clerk of the Peace to be sent for, to know what he can say concerning the turning some of these out (*ib.*).]

Put in.

15 Jan.
John Cotton, Bart.
John Burgoyne, Bart.
John Cockayne.
Thos. Palmer.
Jas. Astrey.
— Cockayne, Esq.

4 Feb.
Will. Astrey.
Rich. Orlebarr [J. P. Book (*ib.*) describes him as of very good estate, and a worthy person, and gives him as left *out* of the Commission].

23 April.
Thos. Dockwray.
[J. P. Book (*ib.*) adds Thos. Tuag of Milbrook.]

(*c.*) Berkshire.

Left out.

10 Jan.
George D. Bucks [a Peer of the realm and of a considerable estate in that country (J. P. Book, 10 Nov.)]
Chas. E. Ancram.
John L. Lovelace [a Peer, and of a great estate, and his seat in the country (*ib.*)].
Edw. Manfield.
Will. Bowles.

9 July.
Thos. Fettiplace [J. P. Book, *ib.*, gives him as *Edmond* Fettiplace, of a very great estate and of an ancient family in the country].
Thos. Medlicott [a Bencher of the Middle Temple, and of a great estate in the country].

Came in.

9 July.
John Breedon.
Rich. Brickenden.
[J. P. Book (*ib.*) adds John Whitwick, a man of small estate, and no want of justices in that part of the country.]

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(*d.*) Brecon.

Left out.	*Came in.*
5 Feb.	5 Feb.
George D. Bucks.	John Ashburnham, Esq.
Thos. Williams, Knt. and Bart.	12 Feb.
Marmaduke Groyem.	Will. Powell, Cler.
John Morgan of Wenalt.	
26 April.	
Rich. Williams.	

(*e.*) Bucks.

Left out.	*Came in.*
12 Jan.	12 Jan.
George D. Bucks.	Rich. Temple, Bart.
Chas. L. Ancram.	Thos. Tyrrell, Bart.
John L. Lovelace.	Thos. Lee, Bart.
Thos. Wharton.	Peter Tyrrell, Knt.
Edw. Manfield.	Edw. Smyth, Knt.
Rich. Winwood.	Ed. Waller.
John Dormer.	Alex. Denton.
John Loggins.	Thos. Piggott.
	Thos. Waller of Gregoryes.
	Will. Cheyne.

(*f.*) Cambridge.

Left out.

15 Jan.
George D. Bucks.
Chas L. North.

12 Feb.
Thos Willys, Bart.
Ric. Pygott, Mil.
Roger Pepys [Recorder of Cambridge (J. P. Book. 11 Nov.)].
[J. P. Book, *ib.* adds Mr Partridge, Member of Parliament.]

Came in.

4 Feb.
Joh. Cotton.
Christopher Hatton, Phil. Cotton } [Both in the houses of their fathers, both justices in each house (*ib.*)].
John Bennett [in the house with his brother Sir L. Bennett, both justices (*ib.*)].
[This book also notes as put in, but unfit, Doctor Watson, Humphrey Weld, Thos Archer, a brewer, Dr Cooke, with no benefice or estate in the country, and Tirrel Dalton, a person of no worth.]

(*g.*) Cardigan.

Left out.	*Came in.*
5 Feb.	5 Feb.
George D. Bucks.	Thos Price, Bart.
	Thos Price.
	Morgan Herbert.
	John Herbert of Corgathan.

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(*h.*) Carmarthen.

Left out.	*Came in.*
5 Feb.	5 Feb.
George D. Bucks.	Jas. Protheroe.

(*i.*) Carnarvon.

Left out.	*Came in.*
5 Feb.	18 Feb.
George D. Bucks.	Rob. Owen, Bart.
Thos Mostyn.	Will. Glynne.
Griffith Bodurda.	Randolph Wynne.

(*j.*) Cheshire.

Left out.

18 Feb.
Geo. D. Bucks.
Hen. Booth, Esq. [Henry Bath, son to L. Delamer, Custos Rotulorum and Member of Parliament. (J. P. Book. 11 Nov.)]

4 Feb.
Pet. Venables.
Ed. Glegg, of Geyton.
Randolph Dodd.

9 March.
Thos Manwaring, Bart. [a very considerable man for knowledge and estate (*ib.*)].

23 April.
Pet. Dutton.
Joh. Venables of Agden.
Thos Leigh of Darnhall.

Came in.

4 Feb.
Willoughby Aston, Bart.
Lestwitch Oldfield.
Ed. Bromley [of small estate (*ib.*)].
John Dodd of Broxham.
Ed. Minshall of Stoke.

9 March.
Rob. Leicester, Bart.
Henry [*noted* Richard] Brooke, Bart.
Pet. Wilbraham.
Ed. Glegge.

(*k.*) Cornwall.

Left out.

5 Feb.
George D. Bucks.
John Carew, Bart. } [Members of Parliament and gentlemen of estates and worth. (J. P Book. 16 Nov.).]
Hugh Boscowen }
Walter Langdon.
John Polewheele.

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John Tanner } [Members of Parliament and gentle-
Walter Kendall } men of estates and worth. (*ib.*)].
Humphrey Courtney [of a great estate, and knowing justice (*ib.*)].

12 Feb.

Edward Noseworthy [Member of Parliament and a gentleman of estate and worth (*ib.*)].

23 Apl.

William Keegwin, Esq.

9 June.

John Prideaux [of a great estate and knowing justice (*ib.*)].
John Verman [a gentleman of estate and worth (*ib.*)].

Came in.

5 Feb.

John Arundel of Trerise, Esq.
Francis Robarts, Esq.
Bourchier Wray, Knt.
John Connocke.
William Silly.

12 Feb.

Humphrey Langford.

13 Feb.

Jonathan Trelawney of Coldrenicke.

9 June.

Henry Vincent.
Richard Hoblin.

[J. P. Book, *ib.*, adds Wm. Scawen as put in. His name occurs in the list, but is not marked.]

(*l.*) Cumberland.

Left out.

18 Feb.

George D. Bucks.

2 June.

George Fletcher, Bart. [Member of Parliament. J. P. Book, 16 Nov.].
Daniel Fleming.
Robert Carlton.

Came in.

18 Feb.

Edward Hasell of Braithwaite.

26 June.

William Christian.

(*m.*) Denbigh.

Left out.

5 Feb.

George D. Bucks.
William Williams.

Came in.

5 Feb.

Richard Middleton.

18 Feb.

John Middleton of Gwanyog.

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(*n.*) Derby.

Left out.

12 Feb.

George D. Bucks.
Theophilus E. Huntingdon.
Anchetill Gray, Esq. [a Member of Parliament. Mr. Gray lets the Committee know that Sir Henry Every says it was by his interest who were put out and put in, in Derbyshire. Mr. Eyres seconds the information. Monday, 15 Nov. Sir Henry Every is heard concerning what he has to say, and Mr. Gray. (J. P. Book, 11 Nov.)].
George Vernon [a Member of Parliament, *ib.*].
[J. P. Book, *ib.*, adds that there was an order for putting out Sir John Gell, Bart., and Thos. Eyre, Esqre., and gives the following as continued or put in, viz.: Edward Vernon, of no estate in the County, and his wife a Papist, Sir Simon Deg, and John Every, of a very small estate, no land in the County, nor inhabitant there. These names are in the list, but are not marked.]

(*o.*) Devon.

Left out.

7 Feb.

George D. Bucks.
John Tanner of Thornbury.
William Bruton.
Thos. Beare.
John Kelland, Esq.

19 Feb.

William Courtney, Bart.
William Morrice, Bart.
Arthur Harris, Bart.

24 June.

Philip Champernoone.

Came in.

19 Feb.

Nicholas Slanning, Knt. and Bart.

24 June.

John Hutchinson.

(*p.*) Dorset.

Left out.

4 Feb.

George D. Bucks.
Francis Holles, Knt. and Bart. now Lord Holles (J. P. Book, 11 Nov.).
John Morton, Bart. [Member of Parliament (*ib.*)].
Robert Dillington, Bart.
Matthew Davyes.
Hugh Hodges (put in since) [an Attorney (*ib.*)].
Henry Bromfield.
Thomes Knowles.
Henry Whitehead.

Came in.

4 Feb.

Nathaniel Napier, Bart.
George Strode, Knt.
George Pitt.

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18 Feb.
William Strode.
Richard Brodripp, Esq.
[The J. P. Book, 11 Nov., notes also, as "continued in,"
William Thomas,
Henry Constantine,
John Reeves of Fifehead-Neville,
Edward Samptloe, of very small estate, and
William Elsdon, an ill person. These names are in the list above, but are not marked.]

(*q.*) Durham.

Left out.

18 Feb.
George D. Bucks.
Gilbert Gerard, Knt. and Bart.
James Pennyman, Knt. and Bart.
Christopher Vane.
John Clavering.
William Bellasys, Junr.
William Robinson (put in again by another warrant).
William Freer (struck through).

13 March.
John Foster.
Randolph Hebborne.
John Stokeld.
Francis Bowes.
William Lilburne.

23 April.
Francis Anderson, Knt.
Henry Calverley, Knt.

Came in.

18 Feb.
William Bowes.
Ralph Cole, Bart.

13 March.
Richard Lumley.
Robert Byerly.

23 April.
Christopher Musgrave, Knt.

(*r.*) Isle of Ely.

Left out.

15 Jan.
George D. Bucks.
Edward Patherich. ["Partridge" in J. P. Book (22 Nov.), a Member of Parliament.]

6 May.
John Nasson, LL.D.

Came in.

2 March.
Charles Porter.

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Lionel Walden.
Samuel Fortry, Junr., Esq.
[The J. P. Book (22 Nov.) notes the following as "unfit," viz., John Fincham, Esq., his brother a Jesuit, and himself a great favourer of Papists, and Dr. Cooke, with no estate nor preferment in the Isle. These names are in the list above, but are not marked.]

(*s.*) Essex.

Left out.

12 Jan.
George D. Bucks.
Benjamin L. Fitzwalter.
Ford L. Gray de Warke.
Capell Luckyn, Knt. and Bart.
John Eldred, Junr.

7 Feb.
Thos. Nightingale, Bart.
Samuel Reynolds.
Brabazon Aylmer.

Came in.

7 Feb.
Thos. Middleton, Bart.
Robert Clayton, Knt.
Thomas Darcy, Knt.
John Meade.
Robert Baitman.
William Motte.
Nathaniel Lawrence.
Ralph Crafield.
Henry Wight.
James Milbourne.
Thos. Bowes.
Richard Ballett.
John Tendring.
Richard Godbolt.

18 Feb.
Henry Fitzjames, Knt.
William Scroggs.

(*t.*) Flint.

Left out.

5 Feb.
George D. Bucks.
Thos. Ravenscroft.
Thos. Mostin.
Ralph Whitley.

(*u.*) Glamorgan.

Left out.

5 Feb.
George D. Bucks.
Robt. Thomas, Bart.
Evan Seys, Serjeant-at-Law.
Humphrey Windham.
Thos. Mansell of Briton Ferry.

18 Feb.
Edward Mansell, Bart.

(*v.*) Gloucester.

Left out.

28 Jan.
George D. Bucks.

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Evan Seys, Serjeant-at-Law.
Thomas Marriott.
24 June.
John Guise, Bart.
Thomas Stevens, Knt.
[Members of Parliament. (J. P. Book, 11 Nov.)]

23 April.
William Morgan.

Came in.

28 Jan.
Robert Pleydwell.
George Raymond.

4 Feb.
John Fitzherbert.

21 Feb.
John Ernle, Junr., Knt.

8 July.
John Wagstaffe. [The note "a Brewer, unfit," appears in J. P. Book, *ib.*, but struck through.]
Thomas Morgan.

(*w.*) Hereford.

Left out.

28 Jan.
George D. Bucks.
Thos. Williams, Bart.
Paul Foley.
John Birch.
[Members of Parliament. J. P. Book (11 Nov.)]

23 April.
Younger Cooke [a lawyer and worthy person (*ib.*)].
John Dutton Colt [Member of Parliament (*ib.*)].

13 July.
John Parry of Arxton.
Richard Kidley of Bramely.

Came in.

4 Feb.
George Skipp. [Unfit (*ib.*).]
Martin Sandys of Cradley, Esq.

8 June.
John Ernle, Knt.

26 June.
Jeremiah Bubb. [Unfit (*ib.*).]
William Mathewes de la Postles.
William Gwillim.

(*x.*) Hertford.

Left out.

18 Jan.
George D. Bucks.
Robert L. Hunsdon.
Henry L. Coleraine.
Richard Atkins, Knt. and Bart.
Silus Titus. [Member of Parliament. J. P. Book, 11 Nov.]
William Harbord.
Thomas Standley.

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Came in.

12 Jan.
William Allen.

(*y.*) Huntingdon.

Left out.

18 Feb.
George D. Bucks.

(*z.*) Kent.

Left out.

9 Jan.
Edward Hales of Chilson. [Member of Parliament (*ib.*).]

12 Jan.
George D. Bucks.
John Griffith, Knt.
Edward Dering of Surrendon. [Colonel and Knight of the Shire. (J. P. Book, 12 Nov.).]
Edward Finch.
Robert Fowle [of a good estate (*ib.*).]
Stephen Scott of Hayes.

9 March.
John Darell, Knt. [Darell, Member of Parliament (*ib.*)]
Geoffrey Boys.
Henry Marsh.
Julius Deeds.
} [Of a good estate (*ib.*)]

26 June.
Thomas Scott, Knt.

Came in.

12 Jan.
Edward Bathurst, Knt.
Edward King.
William Webb.

18 Feb.
Joseph Roberts of Estre. [No estate in the County. J. P. Book, *ib.*]
John Kayson.
John Sherman, Esq.

9 March.
Worthly Whorwood.
[J. P. Book, *ib.*, adds, as kept in, Sir Thos. Peyton and Sir John Burrows, of no estate in the County; and Philip V. Strangford and Thos. Southouse, an Attorney, their wives Papists, and themselves suspected to be so. These names appear on the list.]

(*aa.*) Lancaster.

(*aa*[1].) List of Justices, signed by L. Willoughby of Parham.

(*aa*[2].) Similar list, containing the same names, with the exception of Chas. E. Macclesfield.

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(*aa*[3].) Paper endorsed "An Account of the Alterations made in the Commissions of the Peace in the Duchy of Lancaster. Delivered by Sir John Ottoway. Read 10 Nov. 1680." The alterations are as follows:—

Left out.

2 Feb.

E. Ancram.
Henry Booth, Esq. } [These names do not appear on above lists. J. P. Book, 18 Nov., calls Booth a Member of Parliament.]

Ordered to be left out.

2 Feb.

Edw. Rigby, Serjeant-at-Law (restored 15 Oct.).

Thos. Braddell.
ChristopherParker.
Thos. Butler. } [Restored 4 Feb. J. P. Book, 18 Nov., says Butler refused to prosecute the Papists in the late riot, and that Parker was a man of small estate, and a great defender of the Papists. It also adds, as put in or kept in, Christopher Wilkinson, not resident and of a small estate, and Wm. Holme, a scandalous person indicted for perjury.]

[The Committee had ordered the Chancellor of the Duchy to make an Extract from the Warrants, showing the changes made in the last year, since the dissolution of the last Parliament. J. P. Book, 9, 10 Nov.]

(*bb.*) Leicester.

Left out.

18 Feb.

George D. Bucks.
Theophilus E. Huntingdon.
Thomas E. Stamford [Custos Rotulorum. J. P. Book, 18 Nov.].

7 May.

John Grey, Esq. [Member of Parliament, *ib.*]
William Halford, Knt.
William Skeffington.
William Hartopp.
Thomas Pochin.

Came in.

7 May.

Geoffrey Palmer.
Andrew Noell.
Thomas Boothby.
Roger Roe.

[The J. P. Book, 18 Nov., notes also, as put out, John Stafford, an able justice. It further adds the following, as put in or kept in:—Sir Clement

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Clarke, who has no estate in the County, nor resides there; Sir William Hartop, who is much in debt, absconds, and goes by another name; George Faunt, a prisoner in the King's Bench; John Hacket, of very small estate, and much in debt; Edward Arnold, of a small estate, and not resident. These names occur on the above list, but are not marked.]

(*cc.*) Lincoln, Holland.

Left out.

21 Feb.
George D. Bucks.
Gilbert E. Clare.
Edward Siler.

23 April.
Anthony Irby.
Daniel Rhodes.
Walter Johnson.

Came in.

21 Feb.
St. Leger Scroope of Louth.
George Hall of Donnington.
William Trollop.
Edward Webb.
John Bolt of Boston.
Bevill Weinberley.

23 April.
Richard Bertie, Esq.
John Oldfield, Bart.
Thomas Meeres, Knt.

(*dd.*) Lincoln, Kesteven.

Left out.

21 Feb.
George D. of Bucks.
Gilbert E. Clare.

23 April.
Mollineux Disney.
John Hatcher.
Daniel Wigmore.
Edward Siler.
William Goodhall of Hollewell.

Came in.

27 Feb.
St. Leger Scroope of Louth.

23 April.
Richard Bertie, Esq.
John Brownelow, Bart.
William Thorold, Bart.
William Ellys, Bart.
Richard Pell.
Charles Fox.
Edward Payne.
Redmaine Burrell.
Christopher Berrisford.
Edward Webb.

(*ee.*) Lincoln, Lindsey.

Left out.

21 Feb.
George D. Bucks.

23 April.
William Peirpoint, Esq.
Philip Tirwhitt, Bart.
Thomas Williamson, Knt. and Bart.
Anthony Irby.
Michael Lyster.
Thomas Hatcher.

Came in.

21 Feb.
St. Leger Scroope of Louth.

23 April.
L. Willoughby de Eresby.
Peregrine Bertie, Esq.
Richard Bertie, Esq.
William Ellys, Bart.
Henry Jenkinson.
Charles Wollie.
Thomas Hall of Kettlethorp.
Robert Ryther, Junr.
Stephen Rothwell.

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(*ff.*) Merioneth.

Left out.	*Came in.*
5 Feb.	25 April.
George D. Bucks.	Griffith Vaughan.
	Owen Wynne of Glynne.
	Robert Wynne of Maes-y-neyoth.
	Nathaniel Jones.
	Owen Anwill.
	William White.

(*gg.*) Middlesex.

Left out.	*Came in.*
7 Jan.	7 Jan.
George D. Bucks.	Francis V. Newport.
Thomas Killigrew, Esq.	William L. Maynard.
Peter Collaton, Bart.	Henry Brouncker, Esq.
Thomas Player, Knt.	Henry Bulkley, Esq.
Allan Broderick, Knt.	Stephen Fox, Knt.
James Hayes, Knt.	William Boreman, Knt.
Hugh Chamberlain, M.D.	Winston Churchill, Knt.
	Richard Mason, Knt.
15 Jan.	15 Jan.
Gilbert Gerard, Bart.	Edward Dering, Bart.
Thomas Johnson.	William Hickman, Bart.
Richard Gower.	John Chichley, Knt.
	William Walter, Knt.
28 Jan.	John Murstas, Knt.
Edward Hungerford, K.C.B.	Christopher Musgrave, Knt.
	John Baber, Knt.
8 April.	Philip Lloyd, Knt.
William Waller, Knt.	John Ellwayes, Knt.
	—— Airskin.
	William Wood, Esq.
	17 Jan.
	William Bluck.
	6 Feb.
	Cornwall Bradshaw.
	8 April.
	John Brisbane.
	26 April.
	Richard Cheney.
	22 May.
	John Perry.

(*hh.*) Liberty of Westminster.

Left out.	*Came in.*
9 Jan.	15 Jan.
George D. Bucks.	Edward Dering, Bart.
Thomas Killigrew, Esq.	William Hickman, Bart.
Peter Collaton, Bart.	Stephen Fox, Knt.
James Hayes, Knt.	John Chichley, Knt.
James Norffolke, Knt.	Christopher Musgrave, Knt,
Gilbert Gerrard,	John Baber, Knt.

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Hugh Chamberlain, M.D.
Richard Wallopp.
15 Jan.
Thomas Lewys.
8 April.
William Waller, Knt.
Philip Lloyd, Knt.
John Lawrence.
John Brisban.
—— Currance.
Michael Arnold, Esq

(*ii.*) Monmouth.

Left out.
21 Feb.
George D. Bucks.
Trevor Williams, Bart. [Member of Parliament (J. P. Book, 13 Nov.)]
Edward Perkins.
Roger Williams.
Roger Oates.

Came in.
21 Feb.
William Wolseley.
John Gabbe.
John Gwynne.
Edward Nicholas, Esq.
2 June.
John Ernle, Knt.

(*kk.*) Montgomery.

Left out.
5 Feb.
George D. Bucks.
Henry L. Herbert.
Francis Buller, Junr.
William Williams.
Richard Griffith of Sutton.
26 April.
Matthew Rice of Parke.
24 June.
Henry Blaney of Greginog.

Came in.
5 Feb.
John Williams of Estin Colwin.
Daniel Whittingham.
Arthur Devereux.
Richard Wynne.

(*ll.*) Norfolk.

Left out.
4 Feb.
George D. Bucks.
Roger Potts, Bart.
James Johnson, Knt.
William Wyndham.
William Rant of Yelverton.
George England [Member of Parliament, J. P. Book, 15 Nov.].
Robert Day.
Christopher Crow.
} [Persons of considerable estates and abilities, J. P. Book *ib.*]

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17 April.

John Duvall.

Came in.

28 Jan.

John Cotton.
Charles Wrenn.

4 Feb.

Henry L. Richardson.
Nicholas L'Estrange, Bart.
Thomas Hare, Bart.
Robert Ryves, Bart.
John Castleton, Bart.
Edward Woodhouse.
John Houghton [his father a Justice, and he but of small estate. J. P. Book, *ib.*].
Robert Doughty.
Thomas Knyvett.
John Jay.
Thomas Peirson.
Philip Bedingfeild.
Thomas Brandsby.
John Harbord.
Thomas Hogan.
Anthony Butler.
Thomas Say.
James Ward.
William Goulston.
Edward Lambe.
Gabriel Armiger.

[The J. P. Book, *ib.*, adds the following as "put out":—

Sir J. Hobart, M.P.
Sir J. Holland, Bart., M.P.
Sir Robert Kemp, M.P.
Francis Bacon, late Recorder of Norwich, and put out for opposing the Petition of Abhorrence.
Rob. Long, Sen., Esq.
Christopher Beddingfeild, Esq.
W. Branthwaite, Esq.
Riches Browne, Esq.
Clement Herne.

All these are "persons of considerable estates and abilities." None of these names, except those of Francis Bacon, R. Long, and W. Branthwaite, appear in the list. It also adds, as put in or kept in, John Shadwell, George Ward, John Page, Jacob Preston, John Greene, Esq., Thos. Gawdey, John Fincham, Robt. Long (his wife a Papist and his father a Justice), Henry Farrer, Francis Gibbon, Dr. Hilliard, Wm. Barker, and Samuel Pepys. All these names appear in the List.]

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(*mm.*) Northampton.

Left out.

15 Jan.
George D. Bucks.
Edward Alston, Knt.
Miles Fleetwood. [Member of Parliament. J. P. Book, 16 Nov., further adds as "put in," Edward Palmer, and John Norton, "under such debts that they appear not." Their names appear on the List.]
George Wake, LL.D.

11 July.
Thomas Elmes.

23 April.
Edward Sayer.

Came in.

15 Jan.
Philip L. Weynman.
Thomas Isham, Bart.
—— Purefoy.
William Alston, Esq.

23 April.
Thomas Andrewes of Halston.

(*nn.*) Northumberland.

Left out.

18 Feb.
George D. Bucks.
Ford L. Gray de Warke.
Ralph Grey, Esq. [Member of Parliament. J. P. Book, 22 Nov.]
Francis Lyddell, Knt.
Charles Howard.
Thomas Foster.
Ralph Heyborne of Heyborne.
Ralph Anderson of Ovington.
George Baker of Bolbeck.
William Warren.
Ralph Read.
Edward Craister.

Came in.

18 Feb.
William Carnaby.
[J. P. Book, *ib.*, adds, as unfit, Nicholas Whitehead, Gilbert Swinhow, and Ralph Widrington, a favourer of Papists, and strongly suspected to be a Papist himself.]

(*oo.*) Oxford.

Left out.

21 Feb.
George D. Bucks.
John L. Lovelace.
William Lenthall.
Broome Whorwood.

Came in.

8 July.
Robert Jenkinson, Bart.
Wm. Walter, Bart.
Tavernor Harris.

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23 April.
John White, Esq.
8 July.
Edward Hungerford, K.C.B.
Philip Harcourt, Knt.
James Hayes, Knt.

(*pp.*) Pembroke.

Left out.

5 Feb.
George D. Bucks.
Rowland Langhorne.
Morrice Woogan.

Came in.

5 Feb.
Lewis Barlow.
Hector Phillipps.

(*qq.*) Radnor.

Left out.

5 Feb.
George D. Bucks.

Came in.

26 April.
Richard Deerham, Knt.

(*rr.*) Rutland.

Left out.

18 Feb.
George D. Bucks.

(*ss.*) Salop.

Left out.

4 Feb.
George D. Bucks.
Robert Leighton.
Henry Bernard.
William Williams.
Robert Cressett.
William Cotton, Esq.

Came in.

4 Feb.
Robert Owen, Knt.
Edward Kynaston of Abbertley.
William Forrester.
Francis Berkley.

(*tt.*) Somerset.

Left out.

5 Feb.
George D. Bucks.
William Whitmore, Bart.
Francis Wyndham, Bart.
Edward Hungerford, K.C.B.
John Mallett, Knt.
James Hayes, Knt.
William Strode.
John Speke.
John Hall.
} [Members of Parliament. J. P. Book, 11 Nov.]
William Clarke. [A lawyer and a man of estate (*ib.*).]

Came in.

5 Feb.
Thomas Windham, Bart.
— Lucy, of Castle Cary.
John Wynd, Esq. [Of very small estate and no good repute (*ib.*) The J. P. Book adds as put in, with the same remark against them, the following:—Henry Waldron and George Clarke of Swannick, and also, but with no remark, John Piggot and Richard Crosse.]
John Hunt, Junr.

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26 April.
Edward Berkley of Le Pill.
Henry Bull of Midsomer Norton.
Francis Luttrell of Dunstar.

(*uu.*) Southampton.

Left out.

21 Feb.
George D. Bucks.
Robert Dillington, Bart.
Richard Ayliffe.

10 April.
Charles Lee, Knt.
Thomas Neale.
Thomas Jervoise.
Richard Crompton.
John Stewkley.
Henry Clarke.
Giles Hungerford.

23 April.
Henry Tulse.

Came in.

21 Feb.
Hugh Stewkley, Bart.
Gabriel Whistler.
William Kingsmell of Sudmonton.
Edward Fleming.
John Deane.
Richard Love, Junr., of Grettam.
George Vernon.
Francis Dickens.
Charles Foster.
John Pawlin.
Charles Morley.

(*vv.*) Stafford.

Left out.

4 Feb.
George D. Bucks.

23 April.
Jonathan Woodenoth.
William Crompton.
Richard Adderley.
Nicholas Hart.

Came in.

4 Feb.
Edward Morton.
Robert Leveson of Wolverhampton.
Edwin Skrimshire of Aquillett, Esq.

23 April.
Thomas Thynne, Bart.
Clotworthy Skeffington.
Edward Arobilaster.
Thomas Willmott of Yardloe.

24 June.
John Gray, Esq.

(*ww.*) Suffolk.

Left out.

15 Jan^{y}.
George D. Bucks.
Robert Kempe, Bart.

Came in.

28 Jan^{y}.
Robert Wright, Knt., Serjeant-at-Law.

12 Feb.
John Hunt of Walsam Le Wilhouse.

17 June.
John Rous, Bart.
Thomas Leman.
William Glover, Esq.

25 June.
Edward Bedingfeild.

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(*xx.*) Surrey.

Left out.

15 Jan^{y}.

George D. Bucks.

Charles, E. Ancram.

Francis Vincent, Bart.
Henry Tulse, Knt.
Arthur Onslow
} [Knights of the shire in Parliament. J.P. Book, 18 Nov.].

John Thynne [of Egham, *ib.*].

George Evelyn of Nuttfeild [Knight of the shire in Parliament (*ib.*)].

Roger James [George James, Member of Parliament (*ib.*)].

Henry Henn.

Richard Onslow
Denzil Onslow
} [Parliament men (*ib.*)].

Francis Fuller.

Morgan Randall [Member of Parliament (*ib.*)].

3 April 1680.

William Barnsly.

Came in.

15 Jan^{y}.

Francis Compton, Knt.

15 April.

John Weston.

26 April.

— Heath.

Francis Brand.

[J. P. Book, *ib.*, adds, as put in, James Gresham, of no estate in the county; Sir Thomas Forster, of very small estate; Thomas Forster, his son, fled the country; Anthony Thomas, an unfit man; Richard Heath, now questioned before the Commons. These names appear in the List.]

(*yy.*) Sussex.

Left out.

15 Jan.

George D. Bucks.

Ford, L. Gray of Warke.

Robert Fowle.

21 Feb.

John Farrington.

Came in.

9 March.

John Lewknor.

(*zz.*) Warwick.

Left out.

15 Jan^{y}.

George D. Bucks.

4 Feb.

Thomas Archer.

Came in.

15 Jan^{y}.

Bazil Feilding.

Henry Greene.

4 Feb.

Richard Temple, Bart.

John Mordant, Bart.

26 April.

William Bishopp, Knt.

Thomas Lucy.

Reginald Forster.

Thomas Fetherston.

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(*aaa.*) Westmoreland.

Left out.

18 Feb.
George D. Bucks.
2 June.
Thomas Strickland, Knt.

Came in.

2 June.
Richard Grahme, Bart.

(*bbb.*) Wilts.

Left out.

7 Feb.
George D. Bucks.
Francis Holles. Knt. and Bart.
Richard Grobhamhow, Knt. and Bart.
Walter St. John, Bart.
Robert Dillington, Bart.
Edward Hungerford, K.C.B.
Thos. Mompesson of Corton.
John Hall.
Giles Eyre.
Nevill Masklyn.
Thomas Earle.
Robert Compton.
John Mervin.
Henry Bromfield.
Thomas Knowles.
Henry Whitehead.

12 Feb.
John Bowles.
John Scroope.

26 April.
William Duckett.
Samuel Eyre.
William Swanton.

5 July.
John Ash of Heywood.

Came in.

7 Feb.
Edward Goddard of Standen.
Richard Goddard of Clatford.

12 Feb.
John St. Loe, Knt.
John Deane of Oxenwood.
John Kent of Devizes.
Thomas Goare of Alderton.
John Yerbery.
William Brewer of Trowbridge.
Benjamin Gifford.
Edward Nicholas of Maningford.
Edward Warnford, Esq.

26 April.
Thomas Chaffin of Zeales.

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5 July.
William Duckett of Hartham.
Sherrington Talbott.
John Young.
Gabriel Ashley.
Walter Grubb.
George Wroughton.
Thomas Goddard of Swindon.
Charles Yorke.
Charles Tucker.
Bernard Pawlett.
William Brouncker.
Charles Gore.
William Willoughby.
William Norborne.

(*ccc.*) Worcester.

Left out.

4 Feb.
George D. Bucks.
Francis Winnington, Knt.
Thomas Cooke, Knt.
Sherrington Talbott.
Francis Finch.
Henry Herbert.

(*ddd.*) York (East Riding).

Left out.

29 Jan^{y}.
George D. Bucks.
John Hotham, Bart. [Custos Rotulorum and Member of Parliament. J. P. Book, 16 Nov.].
Durand Hotham, William Gee, Jun^{r}. } [Members of Parliament (*ib.*)].

(*eee.*) York (West Riding).

Left out.

28 Jan.
George D. Bucks.

18 Feb.
William Hamond.
Sheffield Clapham.

Came in.

23 Jan^{y}.
John Dawney, Knt.

26 April.
Thomas Maleverer, Bart.
Christopher Tankard.

17 May.
John Darcy.
Francis Jessopp.
Thomas Heber.

[The J. P. Book (16 Nov.) notes also, as put in, John Adams, a man of no estate. His name is in the list above, but is not marked.]

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(*fff*[1].) York (North Riding).

List annotated as below :—

Left out.

28 Jan.
George D. Bucks.
Roger Langley, Bart. (unfit).
William Cayley, Knt. and Bart. (unfit).
Henry Stapleton, Bart. (Mort.).
Gilbert Gerrard, Bart. } [Members of Parliament (J. P.
Humphrey Wharton } Book, 16 Nov.).]
William Wyvell (now to be put in his father's room).
Thomas Cradock (to be put in his father's room).
Francis Morley (left out with good reason).

Put in.

13 Feb.
Edmund Jennings, Knt. (lives out of the Riding, and no land there).

The following other names are marked as under :—

Thos. Wharton, Knt. (lives out of the county).
Christopher Wyvell, Bart. (his son in his room).
Henry Marwood, Bart. (a traducer of petitioning, by setting his hand to a paper for that purpose).
Richard Grahme, Bart. (High Sheriff).
Thomas Pennyman, Bart. (Foreman of Lady Tempest's jury. Unfit.)
William Chater, Bart. (a supposed favourer of Papists).
Philip Howard, Knt. (lives out of the county; never appeared at the Sessions).
William Wentworth, Knt. (lives in Ireland, and has no land there).
Joseph Cradock, Knt. (his son to be in his room).
William Leveson Gower } (both live out of the
William Robinson of Rookeby } county).
Tobias Jenkins (lives out of the Riding).
John Wilkinson, } Mort.
Will. Dawson, }
John Gibson (mistaken, not being in Commission).
Timothy Maleverer (refuses to act).
John Wilson (of small estate and quality) [Member of Parliament (J. P. Book, 16 Nov.)].

[J.P. Book adds also as "put out," John Gibson, a skilful justice, and Sir Henry Calverly, a Member of Parliament. This latter name is not in the list].

(*fff*[2].) List indentical with preceding, but not annotated.

(*ggg*.) List of names of Counties, with marks against those for which lists had been examined by the Committee, except Yorkshire, Cumberland, and Westmoreland.

276. Nov. 10. Sir James Butler's Privilege.—Petition of Sir James Butler, Knt., complaining of his arrest by the order and at the suit of Essex Strode, Esq., Head Bailiff of Westminster. Prays to be discharged, and that the offenders may be punished. L. J., XIII. 659, almost *in extenso*. The Petition adds to the Journal entry that Peti-

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tioner was arrested while returning from having delivered to the House an account of all the inmates and lodgers within his division, as one of the Justices of Middlesex; and that Strode had, with a great number of his bailiffs, forcibly broken open and entered the envoy's house in York Buildings.

277. Nov. 10. Conspiracy in Ireland (Crew).—Information of James Crew of Drumcondagh, in the county of Meath, in Ireland, taken before the Lords of the Privy Council this day. Describes an interview had in 1672 by his master, Lord Slane, with Father Draycot, a Jesuit, at Tollehalen, respecting a hermitage, towards which Lord Slane promised to contribute 1,000*l.*, and an annual allowance of 60*l.*, and Draycot promised 200*l.*; also an interview between Lord Slane and Father Netterville, at Douth, about bringing over a French army to Ireland to settle the Catholic religion; and also an interview between Lord Slane and Plunket, titular bishop of Meath, who showed Lord Slane a list of all the priests in his diocese, and what each of them would contribute towards the business, amounting in all to about 600*l.*, besides 400*l.* from the bishop, which list Informant copied for his master. States that there are several friars of several orders remaining in Dublin and other parts of Ireland, contrary to the Lord Lieutenant's proclamation. Adds that he has come to England to give this information by the advice of Mr. Arthur Forbes, Protestant minister of Drumcondagh. Knows nothing of the Plot beyond what he has stated. [Exam. Book of 11 Nov. contains a Memo. that Crew lodged at Wm. Hall's house near L. Gerard's by Soho Church.]

Annexed:—

(*a.*) 11 Nov. Information of same, to same effect as preceding. Sworn before Edmund Warcup, Justice of the Peace. [Mr. Warcup having informed the Committee of Examinations that Crew was ordered by the Council last night to attend the Committee this morning, Crew was called in, and gave evidence as above. The House was to be desired to move the King for a pardon for Crew, and Draycot and Netterville (or Netterfield) to be arrested. Exam. Book 11 Nov.]

278. Nov. 11. Bp. of St. Asaph.—Certificate that Wm. Lloyd, D.D., Lord Bishop of St. Asaph, had received the Sacrament according to the usage of the Church of England. [Produced at the Bar on 13th when he took the Oaths, &c. L. J., XIII. 664.]

279. Nov. 11. E. Yarmouth.—Writ of Summons, dated 2 Aug. 1679, to Robert E. Yarmouth, introduced this day. L. J., XIII. 660.

280. Nov. 12. Smithson's Bill.—Draft of an Act to enable Sir Jerome Smithson, Baronet, and Hugh Smithson, Esq., his son, to make and settle a jointure on Elizabeth, daughter of the Lord Langdale, now wife of the said Hugh Smithson. Recites a deed of entail of the lands of Standwiggs *alias* Stanwick, Humberton, Humburton *alias* Barton, Brackenbergh, Kirbywisk, Coverham, Calbergh, and Dalby *alias* Dawby, in Yorkshire, made by the late Sir Hugh Smithson in 1668. The lands are so settled that neither Sir Jerome nor his son Hugh can make any jointure or provision for Hugh's wife, contrary to the manifest intention of the deed of settlement. The bill therefore enables the lands to be charged with a jointure of 400*l.* a year after the death of Hugh Smithson, and during the lifetime of his widow, saving 100*l.* a year out of the lands in Brackenbergh to Dame Mary, wife of Sir Jerome, after her husband's death, in satisfaction of her dower. [Read 1ª this day; dropped after commitment. L. J., XIII. 662, 675.]

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281. Nov. 13. Lord Speaker.—Commission to John E. Radnor, President of the Council, to supply the place of the L. Chancellor. *Parchment Collection.* L. J., XIII. 664. *In extenso.* [Read this day; but dated 12th.]

282. Nov. 15. Howard v. Duke of Norfolk.—Petition of Charles Howard. Sets forth that Petitioner has exhibited a bill in Chancery against the Duke, to whom the Marquess of Dorchester has transferred his trust of the barony of Greystoke, in Cumberland. His Grace not only refuses to perform the trust, but also to answer the bill, and now sets out process of contempt. Petitioner is advised by counsel that there is no privilege allowed in such cases, pursuant to their Lordships' orders in the case of L. Westmoreland and L. Holles in 1670. Prays for leave to proceed with his cause in Chancery. L. J., XIII. 670. *See also* Nos. **437** and **488.**

Annexed:—

(*a.*) Attested copy of the several Answers of Henry, Earl of Kingston-upon-Hull and Marquess of Dorchester, one of the defendants to the Bill of Complaint of Charles Howard, Esq., complainant. States that being the only surviving Trustee of a Trust made by the late Earl of Arundel and Surrey for behoof of his wife Elizabeth and his younger children, he assigned the premises to Richard Marriott, subject to the same trusts, interests and purposes as in the original Trust. Attested 4 June 1680.

(*b.*) Copy of same. Appended to preceding.

(*c.*) Attested copy of the order of the House of 15 Dec. 1670 in the case of the Earl of Westmoreland. L. J., XII. 390. *In extenso.* Appended to petition.

(*d.*) 29 Nov. 1680. Answer of Henry Duke of Norfolk. The suggestion that Respondent is trustee of the barony and manor of Greystock, as assignee of the Marquess of Dorchester, is not true. Respondent claims and holds the barony in fee to his own use, and has so held it quietly for about seven years. He is advised by counsel that he has a good estate both in law and equity, not in the least subject to any trust for his brother or any other person. He therefore claims his privilege and desires the petition may be dismissed. [*Noted* in margin: Presented 29 Nov. 1680. No entry in L. J. or MS. Min. of date, but MS. Min. of 9 Dec. state that the Petition and Answer were then read, and James Howard ordered to see the answer.]

(*e.*) Copy Order of the House of 20 March 1676 dismissing a petition of Edward Howard and others. L. J., XIII. 80. *In extenso.* [Appended to preceding paper.]

283. Nov. 15. D. York's Exclusion Bill.—Commons' Engrossment of an Act for securing of the Protestant Religion by disabling James Duke of York to inherit the Imperial Crown of England and Ireland, and the dominions and territories thereunto belonging. Whereas James Duke of York is notoriously known to have been perverted from the Protestant to the Popish Religion, whereby not only great encouragement hath been given to the Popish party to enter into and carry on most devilish and horrid plots and conspiracies for the destruction of His Majesty's sacred person and government, and for the extirpation of the true Protestant Religion, but also, if the said Duke should succeed to the Imperial Crown of this Realm, nothing is more manifest than that a total change of Religion within these kingdoms would ensue; For the prevention whereof, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords

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Spiritual and Temporal and the Commons in this present Parliament assembled, and by the authority of the same That the said James Duke of York shall be and is by authority of this present Parliament excluded and made for ever incapable to inherit, possess, or enjoy the Imperial Crown of this Realm and of the kingdom of Ireland and the Dominions and Territories to them or either of them belonging, or to have, exercise, or enjoy any Dominion, Power, Jurisdiction, or Authority within the same Kingdoms, Dominions, or any of them. And be it further enacted by the authority aforesaid That if the said James, Duke of York, shall at any time hereafter challenge, claim, or attempt to possess or enjoy or shall take upon him to use or exercise any dominion, power, authority, or jurisdiction within the said kingdoms, dominions, or any of them as King or Chief Magistrate of the same, That then he the said James, Duke of York, for every such offence shall be deemed and adjudged guilty of high treason, and shall suffer the pains, penalties, and forfeitures as in cases of high treason; And further That if any person or persons whatsoever shall assist, aid, maintain, abet, or willingly adhere unto the said James, Duke of York, in such his challenge, claim, or attempt, or shall of themselves attempt or endeavour to put or bring the said James, Duke of York, into the possession or exercise of any regal power, jurisdiction or authority within the kingdoms or dominions aforesaid, or shall by writing or preaching advisedly publish, maintain or declare that he hath any right, title, or authority to exercise the office of King or Chief Magistrate of the kingdoms and dominions aforesaid, That then every such person shall be deemed and adjudged guilty of high treason, and shall suffer and undergo the pains, penalties, and forfeitures aforesaid; And be it further enacted by the authority aforesaid That if the said James, Duke of York, shall at any time from and after the fifth day of November, in the year of our Lord God one thousand six hundred and eighty, return or come into or within any of the kingdoms or dominions aforesaid, That then he, the said James, Duke of York, shall be deemed and adjudged guilty of high treason, and shall suffer the pains, penalties, and forfeitures as in cases of high treason, And further that if any person or persons whatsoever shall be aiding or assisting unto such return of the said James, Duke of York, That then every such person shall be deemed and adjudged guilty of high treason, and shall suffer as in cases of high treason. And be it further enacted by the authority aforesaid That the said James, Duke of York, or any other person being guilty of any of the treasons aforesaid shall not be capable of or receive benefit by any pardon otherwise than by Act of Parliament, wherein they shall be particularly named, and that no Noli prosequi or order for stay of proceedings shall be received or allowed in or upon any indictment for any of the offences mentioned in this Act. And be it further enacted and declared, and it is hereby enacted and declared That it shall and may be lawful to and for all magistrates, officers, and other subjects whatsoever of the kingdoms and dominions aforesaid, and they are hereby enjoined and required to apprehend and secure the said James, Duke of York, and every other person offending in any of the premises, and with him or them in case of resistance to fight and him or them by force to subdue, for all which actings and for so doing they are and shall be by virtue of this Act saved harmless and indemnified. Provided and be it hereby declared That nothing in this Act contained shall be construed, deemed or adjudged to disable any person from inheriting or enjoying the Imperial Crown of the Realms and Dominions aforesaid (other than the said James, Duke of York), but that in case the said James, Duke of York, shall survive his now Majesty and the heirs of his Majesty's body, the said Imperial Crown shall descend to and be

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enjoyed by such person and persons successively during the lifetime of the said James, Duke of York, as should have inherited and enjoyed the same in case the said James, Duke of York, were naturally dead, anything in this Act contained to the contrary notwithstanding. And be it enacted by the authority aforesaid That during the life of the said James, Duke of York, this Act shall be given in charge at every Assizes and General Sessions of the Peace within the kingdoms, dominions, and territories aforesaid, and also shall be openly read in every Cathedral, Collegiate Church, parish Church and Chapel within the aforesaid kingdoms, dominions, and territories by the several and respective parsons, vicars, curates, and readers thereof, who are hereby required immediately after Divine Service in the forenoon to read the same twice in every year, that is to say on the five and twentieth day of December and upon Easter Day during the life of the said James, Duke of York. *Parchment Collection.* [Brought from the Commons this day, and rejected on first reading by 63 votes to 30, after the previous question had been resolved in the affirmative by 61 votes to 32,* and it was thereupon ordered to put the House into Committee the following day to draw up Heads for securing the Protestant Religion. L. J., XIII. 666, and MS. Min.]

284. Nov. 16. Smithsby v. L. C. Justice Scroggs.—Petition of Anne Smithsby, Executrix of William Dickenson, Esq., deceased. Sets forth that in 1664 Robert Shaw obtained judgment of 700*l.* against Sir Anthony Browne, Knt., for securing 350*l.* and interest. In 1667 the Lord Chief Justice Scroggs purchased of Sir Anthony the manor of Weald Hall in Essex, and 400*l.* of the purchase money was left in his Lordship's hands to discharge the debt. His Lordship failing to pay the money, several of the lands were extended, and afterwards an ejectment was brought, and judgment had thereon. In 1673 his Lordship having exhibited a bill in Chancery, and having no cause for any relief there, paid 200*l.* and covenanted in writing to pay 340*l.* more by the 10th of February then next; but desiring further time to pay, his Lordship gave a new judgment in ejectment in the King's Bench with a release of errors, and now insists on his privilege to defeat the said judgment in ejectment, thereby depriving Petitioner of her security. Prays that his Lordship may be ordered to show cause why he should not pay Petitioner her debt, or give her a new judgment in ejectment for securing it. L. J., XIII. 673.

Annexed:—

(*a.*) 15 Nov. Affidavit, sworn this day, of same, stating that in August last, on going to L. C. Justice Scroggs' house in Chancery Lane to desire payment, his Lordship told her that she was a fool to come after him, for he was too big for her, and that she should never have a groat, do her worst, and that if she came clamouring after him for debt, he would lay her fast enough, and bid his servants put that troublesome bawling woman out of doors.

(*b.*) 15 Nov. Affidavit, sworn this day, of Rabsey Smithsby, stating that, on going with her sister Mrs. Anne Smithsby to his Lordship's house to enquire whether he intended to abide by his letter, stating that he insisted on his privilege, he answered that he would, and that she might do her worst; and that afterwards, on being informed that he was ready to pay the money, and that

* In Parl. Reg. XXV., p. 349, these numbers are stated as 61 and 30.

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the Council were told so, she called on his Lordship desiring to know his Lordship's time, whereupon he replied "A —— for all the Council in England," and bade her do her worst.

(*c.*) 19 Nov. Answer of Sir William Scroggs, Knt., Chief Justice of the King's Bench. Respondent was wholly a stranger to the judgment entered into by Sir Anthony Browne, being only a purchaser, as admitted by the petition. No money was ever left in his hands for payment of the debt. He covenanted to save Sir Anthony harmless from it, but not to pay it, because he knew that Lord Carberry, who had the money, ought to pay it, and that Sir Anthony was only a security for him, who gave Sir Anthony a counter-bond to save him harmless, which recites that Mr. Dickenson was a security also by judgment for the same debt. Of that debt, which was 350*l.* principal, Respondent has paid 300*l.*, after which, on the Petitioner endeavouring to take the advantage of a judgment of 700*l.*, which was security for 350*l.*, Respondent thought it consistent with honesty and a good conscience to insist upon his privilege to avoid that penalty and forfeiture in point of law, but never refused to answer any suit in equity, which was only proper for the cause. The cause is merely a matter of *Meum* and *Tuum*, and comes as an original cause before the House, and will much consist in matters of account, for which reason Respondent did lately voluntarily, but chiefly in respect to a noble Lord, submit the whole cause to the reference of two worthy and indifferent persons, Serjeant Pemberton and Mr. Pollexfen, to which the Petitioner agreed also, but not being patient to stay for their determination, has thought fit to waive that and to petition their Lordships, supposing that the more reflecting way. Prays to be dismissed from further trouble in the case. L. J., XIII. 677.

285. Nov. 19. D. Newcastle's Privilege.—Affidavit of John Moore of the City of London, Gentleman, that Mr. John Wyat, Clerk and Chaplain to His Grace the Duke of Newcastle, was arrested last January at the suit of Thos. Cripps by Harbert Rogers, then Undersheriff of Gloucestershire, and his bailiffs, and is detained in prison by John Rouse, the present Undersheriff, well knowing that Mr. Wyat was Chaplain and servant to his Grace, as is also known to deponent. The bailiffs, at his arrest, tore up and burnt in derision a copy of his Grace's protection. Sworn this day. [Moore, described as the Duke of Newcastle's chaplain, was sworn at the bar this day, and admitted that Wyat was not the Duke's domestic chaplain. Nothing was then done in the matter. MS. Min. of date. No entry in L. J.]

286. Nov. 19. J. Wainwright.—Petition of James Waynwright. Petitioner, a prisoner in the King's Bench for debt, has endeavoured to satisfy his creditors; and having complied with the Act of 22–23 Car. II. for the release of poor prisoners for debt, sought for his discharge. This the justices of the peace refused, though two Counsel, Sir John Maynard and Sir Francis Pemberton, gave it as their opinion that the Act was not impeached by the later Act. The King's Bench also refuses to grant Petitioner a *mandamus*. Prays for relief, and for a Habeas Corpus returnable from day to day to enable him to attend the House in this matter. L. J., XIII. 677.

Annexed:—

(*a.*) Dec. 20. Certificate of Mr. Justice Wyndham and Mr. Justice Charlton that for such debts as Waynwright was actually imprisoned upon executions on 14 April 1671, though the execu-

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tions amount to 500*l.* or more, yet he may still be relieved upon the first Act made for relief of poor prisoners in 1671, in such manner as is therein provided and declared to be discharged thereby. *Dated* 13 Dec. 1680. [Brought in this day. MS. Min. *See also* L. J., XIII. 741.]

287. Nov. 19. Papists in Army and Navy.—Paper containing lists of Commission Officers in the Foot Guards, the Coldstreams, the Duke of York's regiment, the Earl of Mulgrave's regiment, the Earl of Oxford's regiment of horse, His Majesty's own troop of Horse Guards, the Queen's troop of His Majesty's Guards, his Royal Highness's troop of his Majesty's Guards, and in all the Garrison and Independent Companies. [This, and the following papers annexed, were delivered in to the Clerk of the Parliaments, by command, pursuant to address of this day. L. J., XIII., 679, 680. In Committee of the whole House this day for securing the Protestant religion, it was proposed that Portsmouth, and the ordering of the Fleet, might not be committed to the Duke of York's hands, and that there should be some enquiry as to the ports and garrisons, in whose hands they are. The Committee reported in favour of an enquiry into the state of the land and sea forces, and postponed the further consideration of that matter. The House, after agreeing to the Address, adjourned the debate on these lists to the 23rd. On the 24th these lists, and that of the Lords Lieutenants (No. **288**) were read, and a proposal to refer them to the Committee for Examinations,* to see whether any of the persons named, or their wives, were suspected to be papists, was negatived MS. Min of dates.]

Annexed :—

(*a.*) *Undated.* List of officers of the troop of Dragoons, quartered near Berwick, with note stating that it had been omitted in the preceding return, delivered to the Clerk of the House.

(*b.*) 20 Nov. Letter from E. Peterborough to E. Sunderland, Principal Secretary of State, enclosing next paper. The writer cannot charge his memory with the names of all inferior officers, but assures his Lordship there are none but such as are qualified from their principles and practice to serve the King and the kingdom.

(b^1.) List of Deputy Lieutenants and Captains of the Militia for Northamptonshire. [Enclosed with preceding.]

(*c.*) 20 Nov. Letter from E. Burlington to same, enclosing list of Deputy Lieutenants, and promising a list of Militia officers with all speed.

(c^1.) Nov. List of Deputy Lieutenants of the West Riding of York. [Enclosed with preceding.]

(c^2.) Nov. List of Militia officers of the West Riding of York.

(*d.*) Nov. List of Deputy Lieutenants of the East Riding of York.

(d^1.) Nov. List of Justices of the Peace of same Riding.

(d^2.) List of Militia officers of same Riding.

(d^3.) Nov. Imperfect list of same.

(*e.*) 20 Nov. List of Deputy Lieutenants and Militia officers for Buckinghamshire. Delivered by E. Bridgewater into E. Sunderland's office 22 Nov.

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* This Committee had been revived on the 16th. MS. Min. No entry in L. J.

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(*f.*) 22 Nov. Same for Dorsetshire. *Signed* Bristol.
(*g.*) 22 Nov. Same for Norfolk and City and County of Norwich.
(*g*[1].) 22 Nov. Letter of the Earl of Yarmouth, enclosing preceding list.
(*h.*) 22 Nov. List for Nottinghamshire. [Enclosed in (*h*[2])].
(*h*[1].) 22 Nov. Same for Northumberland. [Enclosed in next paper.]
(*h*[2].) 22 Nov. Letter of D. Newcastle to E. Sunderland, stating that the writer sends therewith the lists for the counties of Nottingham and Northumberland.
(*i.*) 22 Nov. List of Deputy Lieutenants of Cambridgeshire.
(*i*[1].) 22 Nov. List of Militia officers of same.
(*k.*) 22 Nov. List of Deputy Lieutenants for Suffolk.
(*k*[1].) 22 Nov. List of Militia officers of same.
(*k*[2].) 22 Nov. Letter of E. Suffolk to E. Sunderland, enclosing two preceding lists.
(*l.*) 22 Nov. List of Commissioners of Lieutenancy for the Militia of the City of London.
(*l*[1].) 22 Nov. List of Field Officers, captains, lieutenants, and ensigns now in Commission in the Militia of the City of London.
(*m.*) 23 Nov. List of Deputy Lieutenants and Militia Officers under the command of E. Ailesbury, Lord Lieutenant of the County of Bedford. [Enclosed in next paper.]
(*m*[1].) 23 Nov. Letter of E. Ailesbury to E. Sunderland, enclosing preceding list.
(*n.*) 23 Nov. List of Deputy Lieutenants and Militia Officers for Hampshire, signed Edw. Noel. [Enclosed in next paper.]
(*n*[1].) 23 Nov. Letter from Edward Noel to E. Sunderland, enclosing preceding list. *Dated* from Titchfield.
(*o.*) 23 Nov. List of Deputy Lieutenants for the County of Middlesex, and Borough of Southwark. *Signed* Craven, the Earl being his Majesty's Lieutenant thereof.
(*o*[1].) 23 Nov. List of Militia Officers in the County of Middlesex, the City and Liberties of Westminster, and the Borough of Southwark.
(*p.*) 23 Nov. List of Deputy Lieutenants and Militia Officers for the County and City of Worcester. [Enclosed in next paper.]
(*p*[1].) 23 Nov. Letter of L. Windsor to E. Sunderland enclosing preceding list.
(*q.*) 23 Nov. Lists of (1) the officers now relating to his Majesty's Navy on shore; (2) the Commanders, Lieutenants, Ministers, and Standing Officers at present belonging to his Majesty's ships at sea; (3) the present standing officers belonging to his Majesty's ships in harbour. *Signed* Brisbane.
(*r.*) 24 Nov. List of Deputy Lieutenants and Militia Officers belonging to the Tower Hamlets.
(*s.*) 24 Nov. Same for Leicestershire.
(*t.*) 26 Nov. Same for Derbyshire. *Signed* W. Devonshire. [Enclosed in next paper.]
(*t*[1].) 26 Nov. Letter from E. Devonshire to E. Sunderland, enclosing preceding list. *Dated* from Chatsworth.
(*u.*) 26 Nov. List for Rutlandshire. [Enclosed in next paper.]
(*u*[1].) 26 Nov. Letter from E. Rutland to E. Sunderland, enclosing preceding list.
(*v.*) 28 Nov. List for Lancashire.

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(*v*[1].) 28 Nov, Letter from E. Derby to E. Sunderland, enclosing preceding list.
(*w*.) 28 Nov. List for Cheshire.
(*x*.) Nov. List of Deputy Lieutenants of Berkshire.
(*x*[1].) Nov. List of Militia Officers of same.
(*y*.) Nov. List of Deputy Lieutenants and Militia Officers for Huntingdonshire.
(*y*[1].) Undated. Letter from E. Manchester, enclosing preceding list.
(*z*.) Nov. Similar list for Staffordshire.
(*aa*.) Nov. List of Deputy Lieutenants of Surrey.
(*aa*[1].) Nov. List of Militia Officers of same.
(*bb*.) Nov. List of Deputy Lieutenants and Militia Officers for Warwickshire. *Signed* Northampton.
(*cc*.) Nov. List of Deputy Lieutenants in Kent.
(*dd*.) Nov. Same for Somersetshire.
(*ee*.) Nov. List of Military Officers of the Cinque ports.
(*ff*.) List of Deputy Lieutenants for Lincolnshire. [Enclosed in (*ff*[2]).]
(*ff*[1]) 4 Dec. List of Militia Officers of same.
(*ff*[2].) 4 Dec. Letter of E. Lindsey to E. Sunderland, enclosing preceding lists. *Dated* from Grimsthorpe.
(*gg*.) Dec. List of Deputy Lieutenants and Militia Officers for Hertfordshire. *Signed* Essex.
(*hh*.) Undated. Same for Essex.
(*ii*.) Undated. List of Deputy Lieutenants of Devonshire.
(*ii*[1].) Undated. List of Militia Officers of same.

288. Nov. 20. Lords Lieutenants.—List of the Lords Lieutenants of the several counties. Delivered in this day by E. Sunderland, by command. L. J., XIII. 679, 680.

289. Nov. 20. Protestant Dissenters. List of persons (7) subpœnaed to appear to an information in the Exchequer for not coming to their Parish Church. [This was no doubt a paper produced before the Committee appointed this day to inspect laws against Papists and Protestant Dissenters. L. J., XIII. 680.]

Annexed:—

(*a*.) 26 Nov. Petition of Wm. Rix, Thomas Whitehead, and Joseph Browne, of the town of Wisbech in the Isle of Ely in the County of Cambridge. Petitioners, who are Protestants, having been prosecuted upon the laws made against Popish Recusants, and being advised that those laws did not extend to others than Papists, did, for avoiding conviction, appear at the Quarter Sessions, and one of them pleaded to his indictment, and became bound in 100*l*. to traverse the next Quarter Sessions. The other two for plea said they were not Papists nor guilty as such, but the justices, not allowing this plea, directed judgment to be entered against them, and immediately ordered them into custody. Since the opinion of the House of Commons has been declared concerning those laws, petitioners have hoped for their release; but on application to the justices, they were informed that it was not in their power to relieve them, but that they must wait till the vote of the Commons is turned into a law. Pray that their case may be considered and relief granted. [Read this day before the Committee. (Com. Book of date.) The proceedings of this Committee are thus recorded. This day the Quakers and other Dissenters, being called in, stated that the Acts they

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complained of were 1 Eliz. c. 2, and 5 Eliz. The Statute, they said, of 23 Eliz. c. 1, lays 20*l.* per month on such as did not go to Church. As they were not willing to lie under the infamy of Popish Recusants, so they desired they might not be looked on as such. *James Beach* said that he and his two sons were prosecuted as Popish Recusants; he himself renounced the Pope. *Mr. Pen* said that many were undone by having all their goods taken from them upon those statutes, which did not concern them. All the Dissenting Protestants in Herefordshire had been under sequestration for the last four years, and half upon the Statute against Papists. The Dissenters that were in Queen Elizabeth's time were not in a body then. The Committee then ordered to report in favour of an Address, as in L. J., XIII. 693. The House, on consideration of this report on the 29th, ordered the Committee to prepare an Address accordingly (*See* Annex *b*), as well as a Bill for explaining the Laws intended only against Popish Recusants (L. J., XIII. 694), and the Committee reported in favour of a Bill (*See* Annex *c*.) instead of an Address. L. J., XIII. 709, Com. Book, Dec. 3, 9.]

(*b*.) 8 Dec. Draft Address to the King, as follows;—"Your Majesty's most faithful and obedient Subjects, the Lords Spiritual and Temporal, in Parliament assembled, taking notice upon examination of the pressures many of your Majesty's loyal Protestant subjects, dissenters from the Church of England, lie under, by prosecution upon divers statutes that were intended only against Papists, which is not agreeable to justice or reason, have therefore thought fit humbly to make this Address to your Majesty, that your Attorney General do without fee enter a *noli prosequi* to discharge all such Protestant Dissenters as are so proceeded against, and likewise that your Majesty will be graciously pleased to pardon and discharge all convictions or judgments against any such persons where their prosecutions are come so far; and, for the better guidance of your Majesty's officers and ministers herein, that your Majesty will be pleased particularly to direct that no prosecution already had upon the several statutes, viz., 23, 29, 35 Elizabeth, and 3 Jac., against such Dissenters shall proceed or be executed, nor any new prosecution be made for the space of [blank] months next coming: Provided always, to the end no Papist may be sheltered under this temporary indulgence, intended for the uniting your Majesty's Protestant subjects, that all such Protestant Dissenters make themselves appear Protestants by a voluntary subscription (before two Justices of Peace in the county, and any others that shall be appointed by your Majesty in cities and towns corporate) of the Test or Declaration in the Act disabling Papists from sitting in either House of Parliament; All which is most humbly submitted to your Majesty's great clemency and wisdom." *Underwritten*, in the clerk's hand, are the words, The Lord Privy Seal is desired to prepare a Bill against to-morrow upon the matter in this paper. [This Address is in the handwriting of the Lord Privy Seal (L. Anglesey), who was Chairman of the Committee, and who offered it no doubt to the Committee this day. After taking evidence from Baron Gregory and Baron Atkins as to the penalties of abjuration under existing Statutes, the Committee agreed to report that they thought it necessary that the Address should be prepared by way of a Bill, and desired the Lord

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Privy Seal to prepare a bill upon the matter delivered to him in writing against the next day. Com. Book, 8 Dec.]

(*c.*) 9 Dec. Amended* Draft of an Act for distinguishing Protestant Dissenters from Popish Recusants. [Whereas many of his Majesty's loyal Protestant subjects, dissenters from the Church of England, lie under divers pressures, and are aggrieved by prosecution upon sundry statutes that were chiefly, if not only, intended against Popish Recusants, which is not agreeable to Justice or right reason, and tends to the disuniting the Protestant interest in a time when Papists are designing and practising the ruin of our religion and the professors thereof; For remedy herein] Be it Enacted by the King's Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this Parliament assembled, and by authority of the same, That all such Protestant dissenters that now are or have been under prosecution as Popish recusants, *or for recusancy*, upon or by virtue of the statutes hereafter mentioned or any of them, viz., the statute of 23 of Q. Eliz., intituled *An Act to retain the Queen's Majesty's subjects in their due obedience;* the statute [of the 29 Eliz.] *made in the Parliament which began in the 28th year of Queen Elizabeth, and continued to the 29th year of Her Majesty's reign*, intituled *An Act for the more speedy and due execution of certain branches to the Statutes made in the 23rd year of the Queen's Majesty's reign intituled An Act to retain the Queen's Majesty's subjects in their due obedience;* [the Statute of the 35th of Qu. Eliz., intituled.....];† the Statute of the 3rd year of King James, intituled *An Act for the better discovering and repressing of Popish recusants*, whether their prosecution hath been to conviction, judgment, execution, *seizures of their estates*, or not, are and shall be, by authority of this Act, *pardoned, acquitted, and* discharged, *without plea*, without other warrant, from all prosecutions, informations, indictments, convictions, *outlawries, exigents*, judgments, *extents, seizures*, executions, penalties, forfeitures, fines, troubles, and punishments they or any of them lie under or are subject to for offences against or breach of the said statutes or any of them only, *except the several clauses in the Proviso hereafter mentioned*, so that no person or persons whatsoever shall or may, from and after the *first* day of *Hilary term which shall be in the year of our Lord 1680*, prosecute, molest, trouble, disquiet, or detain them or any of them‡ [so as and provided]. *Provided* always, and to the end that no Popish recusant may be sheltered under this Indulgence, which is intended for the uniting of your Majesty's Protestant subjects, that all such Protestant dissenters do make themselves appear Protestants by subscription *of the Test or Declaration in the Act for the more effectual preserving the King's person or Government by disabling Papists from sitting in either House of Parliament* before *any of his Majesty's Justices of either bench, or Barons of his Majesty's Exchequer* (*all which shall be certified unto, and filed in the Court of Exchequer gratis*,

* The additions in Committee are shown by italics, the omissions by square brackets.

† A Bill to repeal this Act was before the House. *See* No. **305.**

‡ For the proviso A, marked here, for insertion, *see* Annex (*f*).

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or before any two Justices of the Peace in any county, city, or town corporate, which [all] Justices of the Peace are hereby authorised and required to receive, and *the said Justices of Peace are* commanded to certify [to] *at* the next quarter sessions after such subscription *into the Court of Exchequer, to be filed there as aforesaid*), [of the Test or Declaration in the Act disabling Papists from sitting in either House of Parliament] **and at the time of making the said subscription, shall produce two persons that shall swear that they do believe the said person or persons so subscribing the said Test to be no Papist, nor person professing the religion of the Church of Rome;* And be it further enacted, by the authority aforesaid, That from the time of the Royal assent given to this Act, no such Protestant dissenter that shall make the said subscription,* *and produce such witnesses as shall swear as aforesaid*, shall be questioned or prosecuted on any of the said Acts, *otherwise than by the Clauses aforesaid is allowed;* and if any person shall be prosecuted or questioned upon or by virtue of all or any of the said Acts, *otherwise than as aforesaid*, he and they is and are by authority of this Act *pardoned*, indemnified, and discharged therefrom,* *and shall and may by warrant under the hand or hands of such respective person or persons before whom the said Test or Declaration shall be subscribed, and witnesses sworn as aforesaid, be discharged out of prison, so far as such person or persons be detained in prison for any offence by this Act pardoned or acquitted, and shall* and may have his, her, or their action or suit against whosoever shall prosecute or molest him, her, or them contrary to the true meaning of this Act, any law, statute, custom, or usage to the contrary notwithstanding. *Provided always, and be it further enacted by the authority aforesaid, that if any person or persons at any time after such subscription made and testimony produced as aforesaid shall willingly be present at or hear mass, such person or persons, being thereof lawfully convicted, shall incur the pains and penalties of felony without the benefit of clergy.*†

[The above is in the handwriting of L. Anglesey, who offered it to the Committee, by their direction, this day, when it was ordered to be reported instead of the Address. Com. Book, 9 Dec. The House, on report, received the Bill, and it was read 1ª. the same day. L. J. XIII. 709. It dropped in the Commons with the prorogation on 10 Jan. C. J., IX. 697.]

(*d.*) $\frac{14}{21}$ Dec. Lords' Amendments to the above Bill. They are shown on the preceding paper by italics and square brackets. *See also* MS. Min. Dec. 14, 15, 16, 17, 20, 21.

(*e.*) 17 Dec. Draft Order for Baron Atkins, Justice Raymond and Baron Weston, to draw up a Proviso to keep in force §§ 27, 28, 29 of 3 Jac. I. c. 4. for taking the Oath of Allegiance, and to give the House an account thereof. [On 16 Dec. the Committee of the Whole House reported in favour of a proviso, to be drawn by the Judges, to keep in force the above sections, concerning paying 12*d.* per Sunday for absenting from Church;

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* These three amendments, viz^t, from ("*and at the time*") to ("*Church of Rome*"), from ("*and produce*") to ("*as aforesaid*"), and from ("*and shall*") to ("*acquitted and shall*") are added here from Annex (*g*), where they are marked for insertion in these places in the text.

† *See* Annex (*h*) below as to this proviso.

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and the Judges were also to report whether any other Statute imposed the Oath of Allegiance. (MS. Min. of date and L. J., XIII. 718.) The Judges accordingly offered such a Proviso (*see* next paper) on the 17th, when it was agreed to; and, in reference to the question as to the Oath of Allegiance, they informed the Committee that the Statute of 7 Jac. empowered the justices to impose the Oath. (MS. Min. 17 Dec. *See also* No. **32.**] This paper also contains a Draft Order of this day for absent Lords to be summoned. L. J., XIII. 719. *In extenso.*

(*f.*) 17 Dec. Proviso A, as follows:—*Provided always that the several clauses contained in the last recited Act and hereafter mentioned, that is to say** . . . . . *shall continue and be of and in the same force against the said Protestant Dissenters as the same were before the making of this present Act, the said Act or anything therein contained to the contrary in anywise notwithstanding.* [See preceeding Annex.]

(*g.*) 21 Dec. Draft amendments inserted in text above (*c.*), and referred to in note thereto. [Drawn by the judges, as directed by the Committee. MS. Min. Dec. 20 and 21.]

(*h.*) 23 Dec. Proviso added to the end of the Bill on Report. *See* text above (*c.*). MS. Min. 23 Dec. and L. J., XIII. 727.

290. Nov. 21. E. Radnor.—Certificate that the Right Hon. the Earl of Radnor, President of the Privy Council, had taken the Sacrament according to the usage of the Church of England. Dated 21 Nov. [Produced at the Bar on 22nd, when he took the Oaths. L. J., XIII. 681.]

291. Nov. 21. E. Sussex.—Similar Certificate for the Right Hon. Thomas, Earl of Sussex. [Produced at the Bar on 22nd when he took the Oaths. L. J., XIII. 681.]

292. Nov. 22. Popish Plot (Bolron v. Legatt).—Articles of Misdemeanour preferred by *Robt. Bolron* against *Henry Legatt*, one of his Majesty's messengers. State (1) that *Legatt* has declared himself a Papist, and yet stays in Westminster, and is, contrary to law, still a messenger in waiting; (2) that he improperly delayed apprehending *Charles Ingleby* and carrying him to his Majesty in Council, in order to secure the benefit of 100*l.* reward, and afterwards testified against the King's witnesses that *Ingleby* being in York he was not apprehended, which was the only occasion of clearing him, yet the informations against *Inglcby* were given in to his Majesty in Council long before *Ingleby* was taken into custody; (3) that *Legatt* affirmed at *Mr. Rigdon's* house in York that he had nothing to say against his Majesty's evidences, and only requested his charges, but it being replied that *Sir Miles Stapleton*, with whom he came down, would pay him his charges, he answered that he expected not his charges from *Sir Miles Stapleton*, but if he might have his charges he would be evidence for none but his Majesty, to which it was answered, how could he expect his charges, since by those words he would make the Attorney-General's words good that at last he would prove himself a great rogue; (4) that *Legatt* went to *Thos. Haseltine*, Clerk of the Assizes for the county of York, and demanded his charges as evidence for the King, alleging that he came for that purpose from London; which charges *Haseltine* refused to

* Here are noted for insertion §§ 13–16, and 27, 28, 29 of 3 Jac. I, c. 4; the references being to Ruffhead's Edition.

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pay; (5) that *Legatt*, being so refused his charges, appeared in Court as evidence against the King's witnesses. *Endorsed:* No. 3; *See* No. **368.** [Delivered in this day to the Committee for Examinations, who ordered Legatt to have a copy and put in an answer. A Petition of Bolron, with a bill of expenses, was also read and ordered to be recommended to the House. (Exam. Book, 22 Nov.) This Petition was delivered at the table on the 26th to the Attorney General, who reported on 8 Jan. 1680–1 that Bolron had been paid to 20 Oct., and that now he expects an allowance for a man. (M.S. Min. of dates.)]

Annexed:—

(*a.*) 22 Nov. List of Bolron's witnesses.

(*b.*) 11 Dec. 1680. Answer of Henry Legatt, one of his Majesty's messengers. (1) He is and always was a true Protestant, and never declared himself a Papist. He has taken the oaths and received the Sacrament. (2) He never had any order from *Mr. Bolron* or any other for apprehending *Ingleby*, and never delayed his arrest. (3) and (4) Denies ever having said that he had nothing to say against the King's evidence. Admits having demanded his charges from the Clerk of Assize, having been subpœnaed by *Bolron* as a witness for the King. Was also subpœnaed by *Sir Miles Stapleton*, but denies ever having said that if he might have his charges, he would be an evidence for none but his Majesty. (5) Admits having given evidence against the King's witnesses, but denies ever having misbehaved himself in Court. *Endorsed* as dated. [No entry in Exam. Book.]

(*c.*) 7 Jan. 1680–1. Paper requesting their Lordships to appoint a day for Legatt's trial, giving names of witnesses to be summoned, and desiring admittance to speak to the Committee. *Signed* Robert Bolron. [Bolron appeared before the Committee this day, and having stated that some of his witnesses were at York, the Clerk, J. Relfe, was ordered to write to the Mayor of York, directing him to take their examinations on Articles Nos. 4 and 5. (Exam. Book, 7 and 8 Jan.)]

293. Nov. 22. Popish Plot (Lady Abergavenny).—Report of Thos. Hunt, Thos. Merry, Edmund Warcup, and Thos. Penington, to the Committee of Examinations, stating that they had perused a trunkful of papers belonging to Lady Abergavenny, and found that by three letters of John Todd, there was a correspondence between her ladyship and Mr. Harcourt (the Jesuit as they suppose), and that a letter of Mr. Bedingfield mentioned a sum of 200 florins paid in 1663 to the Dunkirk ladies; but that the other papers were not material. *Dated* 17 Nov. [Delivered by Mr. Merry this day. The Committee directed the trunk of papers to be left with the Clerk of the Parliaments till further orders (Exam. Book 16 and 22 Nov.). Lady Abergavenny had been ordered to be arrested and her papers seized on 11 Nov., on information given against her by Francesco de Feria (L. J., XIII. 660). The Attorney-General, who was ordered on 25 Nov.* to prefer an indictment against her for high treason (*ib.* 688), reported on the 27th that De Feria was the only witness for the prosecution. On 8 Dec. he again reported that he had enquired at the Council for the papers, but they told him they were here, and here it was said they were at the Commons. He had been there and found none. He thought there was

* The MS. Min. of the 25th state that a proclamation was ordered for summoning her.

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not full evidence for an indictment. He could put one in, but if it were not found she would be acquitted of the treason. (MS. Min. of dates.)]

Annexed:—

(*a.*) 16 Dec. Draft order directing Lady Abergavenny's trunk of papers to be delivered to Lady Goring. L. J., XIII. 719. *In extenso.*

294. Nov. 22. Sir J. Edwards v. Howard.—Petition and Appeal of Sir John Edwards, Knt., complaining of a decree in Chancery, dated 7 July 1679. Petitioner, about 10 years since, purchased of Henry Howard, the Respondent's late husband, the reversion of certain property in Clann, in the county of Salop, after three lives then in being, without any power or equity of redemption, and has since settled the same in jointure upon marriage with his wife. By the decree complained of, Petitioner's estate is declared redeemable, contrary to the deeds of purchase. The decree has been confirmed, on a rehearing in Chancery, and Petitioner has no remedy by bill of review, until he has first performed the decree, which he is wholly unable to do. Prays that Mary Howard the Respondent may be ordered to answer, and the decree reversed, and all proceedings in Chancery stayed meantime. L. J., XIII. 682. [For proceedings at the hearing *see* MS. Min. 5 Jan. 1680–1. *Sir John Churchill* was Counsel for the Appellant, and the *Solicitor General*, *Mr. Keck* and *Mr. Phillips* for the Respondent.]

Annexed:—

(*a.*) 29 Nov. Answer of Mary Howard, widow. The decree is just, and the appeal vexatious. As to the allegation about the jointure, it was not insisted on in Chancery, and ought not now to be admitted. Even if true, it was a very ill thing of Appellant so to encumber the premises, which were only by a mortgage in his hands. But Respondent believes the jointure was made since the bill in Chancery was exhibited, and ought not therefore to be noticed. [Brought in this day. *See also* L. J., XIII. 707.]

(*b.*) 8 Dec. Petition of Appellant for a day for hearing. L. J., XIII. 707.

295. Nov. 22. Popish Plot (Jenkins).—Petition of Francis Jenkins, Deputy-Sheriff of the County of Monmouth, now a prisoner in the custody of the Serjeant-at-Arms. Petitioner has been in custody some days on the charge of giving the Papists committed in Monmouthshire leave to go at liberty, and also neglecting to execute the commands of some of the Justices of the Bench, who commanded him to bring them back when they went contemptuously out of Court, to which charge Petitioner has endeavoured to give the House satisfaction of his mistake and want of skill in the law. Petitioner protests that he could not help the Papists going out of Court. He believes the gaoler ought to have done it, and he never allowed him to give any of the Papists the least liberty. Prays the House to accept his submission and discharge him. L. J., XIII. 681. MS. Min. of date. [In the Committe for Examinations on 27 Oct., *Mr. Arnold*, being called in, says that at the last Sessions at Monmouth about 34 or 35 Papists of that county were convicted, who were in pretended custody, and who appeared. Sir Wm. Herbert, Mr. Wolsley, and Mr. Morgan's brother and himself were present. When we asked the prisoners why judgment should not be given against them, they put on their hats and went laughing out of Court. I desired the Sheriff to do his duty, but he laughed, and said he had no power, and when I desired he might he fined, the Court was immediately adjourned. The Sheriff's daughter is a Papist and married to M. Worcester's Agent. Witness is directed to draw this in form and bring it before the Com-

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mittee. . . . . His deposition in writing is read, and ordered to be reported to the House. (*See* L. J., XIII. 621).—9 Nov. The M. Worcester moves the Committee that he may have a copy of Capt. Arnold's deposition. Ordered that he and the parties complained of (if they desire it) may have copies. (Exam. Book 27 Oct., 9 Nov.)—The MS. Min. of 18 Nov. supplement the Journal entry (L. J., XIII. 675) as follows:—*Turberville* (sworn) says he was at Monmouth, and there were the five, Sir James Herbert, Mr. Herbert, John Arnold, Trevor Morgan and Capt. Wolsley. About thirty Papists were there brought up, and refused to take the oath. They clapped on their hats and went out of the Court, and one Mr. Jones was there, talking against Bedloe. Mr. Arnold desired him to be taken out of Court. The Sheriff said he had business as well as he. Being asked if he heard Mr. Arnold propose to have the Sheriff fined, he said he did. The Sheriff refused to do it, said it was the gaoler's business, let him look to it. *Mr. Green* (sworn) says he has seen several of these Papists that were committed at liberty within this fortnight. At Michaelmas Session 1679 they were committed. *Edward Davis* [asked] whether he knows not that they are at liberty? He says he has seen them very often at liberty, the custody of the gaoler (*sic.*). He relates the business of their going out of Court, and putting their hats on before they were out of Court. *Sir Robert Sawyer* (for the Justices) says, as for the part of the complaint of the gaoler's not securing, the High Sheriff is to look for security from the gaoler. All the Justices did was to desire the Sessions to be adjourned. If the Justices had given judgment upon Præmunire, they had run themselves into a Præmunire, it not being in their power. He insists that Mr. Arnold did pronounce the sentence of Præmunire. *Mr.* [*blank*] opens the business of taking the oaths, and the law in the case of Præmunire. The Justices did not find cause to commit the Sheriff. *The Under-Sheriff*, being asked why he did not bring them, said he did bring them in, and the Court checked them severely. *Jones* (sworn) says he was at the Sessions. When Mr. Arnold called to the prisoners and asked them why they should not have their sentence pronounced, and told them what it was, he believes most of them went out. Mr. Sheriff sent the gaoler to bring them in and the bailiff. Mr. Arnold had left the bench. Reads a *Habeas Corpus*. Believes they did not put on their hats. Being asked if there were not two bills on the Statute of Præmunire, he says he remembers but one. There was a bill found. Asked if they went abroad, he says he has seen some abroad. All the prisoners were let out of gaol in the absence of the gaoler. Asked if the Justices ordered to keep them stricter than before, he says they did. Asked if there were a motion to fine the Sheriff, he says he endeavoured to hear and did not. *Thomas Belcher*, was in Court some small time. Mr. Arnold would have had the sentence of Præmunire passed. Mr. Herbert and Sir James Herbert desired to know whether they could do it or no. Heard Sir James and Mr. Herbert check the Papists when called in again. *Mr. Lewis* (sworn): Asked what was done to the Papists of Monmouth, says he believes not above five in the town. *Peregine Lewis* says he called the Papists by a list, and they denied Mr. Arnold to take the Oaths of Allegiance and Supremacy; they said it was against their conscience. Mr. Arnold was told the Papists were going out of the Court to the Sheriff. Mr. Arnold, after the list was called over, went out from the Court with Mr. Morgan. Many of them were returned. Asked whether the Sheriff sent his bailiff before or after Mr. Arnold's going out of Court, he replies he cannot swear it, but he believes before. There are two indictments, he acknowledges. Asked if he is Clerk of the Peace, he says, Yes, as long as the Custos pleases. *Mr.*

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Arnold relates the changing of the names of indictments, and so the Papists get off. *Edward Jones* says he was just by the Sheriff, and Sir James Herbert would have had the Sessions adjourned to Abergavenny. *Mr. Herbert:* When the Papists went out, the goaler fetched them in again, and they checked them. Asked if the Sheriff were moved to be fined, he says he did not hear it. Mr. Jenkins sent for them again. They withdraw. Ordered etc. as in L. J., XIV. 675.]

296. Nov. 23. O'Hara v. Crow.—Petition and Appeal of Rose O'Hara, widow. Petitioner's grandfather, Jacob Newman, having leased certain property in 1626 from the Corporation of Dublin, assigned the remainder of the lease to Richard Barry and others, as trustees for himself, and after his death for Rose Newman *alias* Barry, his then wife, and after her for their son John and his heirs male, failing whom, to his own right heirs. The said John possessed the property and died intestate, leaving only one daughter, the petitioner, who holds letters of administration. John Crow, and Elizabeth, his wife, the grand-daughter of John Newman, and pretended co-heir with petitioner, brought a bill in Chancery, in Ireland, for a moiety of the property, and obtained a decree in 1667 which Petitioner appeals against, for that the trust of the term of years cannot go in a course of descent, but vested entirely in John Newman, and by his death belongs to petitioner, as his administratrix. Prays that Respondents may be ordered to answer, and the Decree reversed. L. J., XIII. 685.

Annexed:—

(*a.*) 8 Jan. 1680–1. Petition of Appellant for a short day for hearing, as Respondents are only seeking to weary her with delay. L. J., XIII. 740.

297. Nov. 23. Protestant Religion.—Heads agreed on for one or more Bill or Bills for securing the Protestant religion. L. J., XIII. 684. *In extenso.* [These Heads were agreed on in Committee of the whole House on Nov. 16, 17, and 23, and reported this day. On the 16th proposals were made in Committee that a Bill of Banishment should be passed against the Duke of York, and another Bill to make void the King's marriage, and marry him to a Protestant,* and that there should be a conference between some Papists and Protestants (MS. Min. 16 Nov.). On the 17th, on the House being resumed for the first report, it was offered as a head that there be a clause in the Bill of limitation to bar the Duke of York, if the crown come to him, of the negative voice in Parliament. The House being then adjourned again into Committee, the heads were delivered in a paper (probably Annex (*a.*) below), and it was proposed (1) that if the Duke of York come to be King, and an Act of Parliament be offered for the Protestant religion, he shall give his consent to it, or that it after some days shall be a law; and (2) that in all cases, if the Duke come to be King, he shall be as a minor in every case (MS. Min. 17 Nov.). On the 19th the Committee ordered that this House will enter into consideration on Monday next, in a full House, of the proposition or head about petitioning his Majesty that he may have a wife by whom he may have children. It was proposed to clear the Court of all Papists, and that Portsmouth and the Fleet might not be in D. York's hands. (MS. Min. 19 Nov.) On the 23rd it was proposed that if the heir marry a Papist the next Protestant

* The Bill of banishment was proposed by L. Halifax, and that for making void the King's marriage by E. Shaftesbury. Barillon, Nov. 18, 1680 (Archives of French Foreign Office), and H. Sidney, ii., 326, quoted by Christie, Life of E. Shaftesbury, ii., 378.

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shall inherit. This proposal was "laid aside," and the Committee then reported as above. On the question whether to appoint a joint Committee to consider the state of the nation, the Contents were 31 and the Not-Contents 45 (MS. Min. 23 Nov.). *See also* next paper and No. **318.**

Annexed:—

(*a.*) *Undated.* Corrected draft of certain heads, being Nos. 6 to 11 inclusive in L. J., XIII. 684, and containing also the following, viz.: 1. The right of the Crown after the Duke's death shall devolve upon a Protestant. 2. If any heir marry a Papist, the next Protestant shall inherit. 3. The Duke to choose all the officers of his household, etc., being Protestants. Of these, the first and third are struck through, and the second is marked not agreed. *Endorsed* L. Fauconberg's Paper.

298. Nov. 23. Protestant Association Bill.—Amended* Draft of Heads for a Bill of Association, proposing as follows:—(1) That all Bishops and Peers enter into the Association, or otherwise to be incapacitated to sit in Parliament. (2) That no person be capable to be an elector or elected into this or any succeeding Parliament, until he has entered into the Association. (3) That all Judges, Mayors, Sheriffs, Bailiffs, Justices of the Peace, and even constables, &c., all Lord Lieutenants, Deputy Lieutenants, Officers of the Militia, &c., all the officers and soldiers of his Majesty's Guards and Garrisons, all officers of the Admiralty and Ordnance, Sea Captains, &c., and likewise all ecclesiastical persons, as deans, &c., rectors, and curates, all bodies corporate, *all societies of the Law, Common, Civil, and Canon,* as Colleges, Inns of Court, &c., enter into the Association; and that no person whatsoever be permitted to have [and] *or* enjoy any office or place of trust, civil, military, or ecclesiastical, who is not included in the Association. (4) That upon the King's death, be it violent or natural, all persons within the Association do immediately put themselves into arms, and so to continue till the Parliament, which is to meet at the King's death, be actually assembled, and then to obey such orders as shall be given by Parliament. (5) That the persons nominated by this Act to be the heads of the Association, be empowered to issue Commissions for the execution of martial law; such Commissions to be of force from the time of the King's death till the Parliament are met and have inquired into the causes of the King's death, [and no longer], *or shall give order to the contrary.* (6) That the Tower of London, Portsmouth, Plymouth, and Hull be the established magazines, and that even in [this King's] *his present Majesty's* time these places be commanded by such persons as shall be nominated by his Majesty, and [appointed] *approved* in Parliament. (7) That this Act of Association be not only read twice a year in every church, but that the substance of the Association itself be pasted up in each Church. (8) *That there shall be a penalty of incapacity for offices and employments, and such other penalties as shall be thought fit, upon all that shall not enter into the Association, or not assist when they are of the Association.* (9) *That the Association extend to Ireland, and the persons, who are to head the Association there, to be named in the Act.* (10) *That the Association be subscribed by all persons above the age of eighteen, and all above sixteen may enter thereinto if they please.* (11) *To the end that it may be known that all that engage into the Association are real Protestants, none shall be permitted to subscribe the said Association but such as shall at the same time subscribe* the declaration in the Act for disabling

* The omissions are shown by square brackets, the additions by italics.

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Papists from sitting in either House of Parliament. And such as refuse to subscribe the same shall be under the penalties of this Act. [On 16 Nov., on report from the Committee of the whole House for securing the Protestant Religion, a Sub-Committee was appointed to prepare a Bill of Association similar to 38 Ed. III. and 27 Eliz. c. 1. (L. J., XIII. 672). This Sub-Committee consisted of the Lord President, the Lord Privy Seal, E. Bedford, E. Bridgwater, E. Essex, E. Shaftesbury, and V. Fauconberg (MS. Min. 16 Nov.). They met first, as ordered, on 17 Nov., when the Act of Association of 27 Eliz. was read, as also part of the Statute of 38 Edw. III., fol. 124 in Rastell's Statutes. The above Heads for a Bill were offered to the Sub-Committee by E. Essex,* on the 23rd., and agreed to with amendments on that and the following day, the sixth head being adopted by 8 votes to 3. The Sub-Committee then referred the Heads to Justice Wyndham and Justice Jones, to draw a Bill thereon, with the assistance of the Attorney-General and Sergeant Maynard (Com. Book 23, 24 Nov.). The Bill was accordingly tendered on the 29th, but after an order of adjournment to 9 Dec. the Committee Book contains no further proceedings. *See also* preceding paper.]

299. Undated. Popish Plot (Papists escaped, &c.).—Paper endorsed "Mr. Clare's Paper," giving the following names as mentioned in the Impeachment, the remainder there being executed, dead, or condemned for priests :—

Sir John Warner, *als* Clare, Bart.
Nicholas Blundell.
Poole.
Basil Langworth, Q^y^ if not dead.
Charles Peters.
Richard Peters.
John Conyers.
Dominick Kelley.
Fizgerrard.
Evers.
Sir Thomas Preston.
William Lovell.
} Jesuits.
Lord Baltimore
John Carrell.
John Townley.
Thomas Penny.
John Smith, Q^y^ if dead.

Appended is a note to Mr. Relfe, the Clerk to the Committee for Examinations, as follows :—I have left some names according to your directions. To have the remainder mentioned, I must refer you to Dr. Oates, Mr. Dugdale, and Mr. Bolron. [These names all appear in Oates' original Narrative. There is an Order in Exam. Book, on 23 November 1680, for Mr. Clare to attend the following day. From an entry in the MS. Min. of 12 Dec. 1678 it appears that Clare was the Attorney General's Clerk.]

300. Nov. 24. Adye v. Eversden.—Petition and Appeal of John Adye, Esq. Thomas Brett, having borrowed 180*l.* of Petitioner's father, mortgaged as security certain property in Kent, which in 1667 he conveyed by deed and fine to Petitioner, who enjoyed the same

* Comp. H. Sidney's Diary, ii., 126. The list of this Sub-Committee, as given here from the Minute Book, is manifestly incomplete, the division on the sixth Head showing 11 members present.

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till 1677. Brett's widow, Martha, and the other Respondent, Edmund Eversden, then sued Petitioner in the Exchequer, claiming the property as the security for an agreement alleged to have been made in 1653 by Eversden's uncle, on his marriage with the said Martha, and obtained a decree giving him equity of redemption, as the lawful heir. Petitioner appeals against this decree, being a *bonâ fide* purchaser. Brett, from whom he purchased it, had been in quiet possession for 14 years, ever since old Eversden's death. Respondent's claim is founded on a confederacy between them, and after 24 years, when the parties originally concerned are dead, and the papers lost, Respondents ought not to be admitted to a redemption. Prays that the Decree may be reversed, and all proceedings stayed. L. J., XIII. 687.

Annexed:—

(*a.*) 14 Dec. Answer of Edmund Eversden. Petitioner's objection that he was a bonâ fide purchaser, without any notice of Respondent's claim, was not insisted on, nor in issue, in the Court below, and cannot now be admitted. The marriage agreement was duly made and executed, and the deed itself was set forth by Appellant in his answer in Exchequer. Denies any combination with Martha Brett. [Brought in this day.]

(*b.*) 16 Dec. Answer of Martha Brett. Respondent denies any collusion. [Brought in this day.]

301. Nov. 24. Libel (Harris).—Petition of Benjamin Harris, Citizen and Stationer of London, and now a prisoner in the King's Bench. Petitioner, in the way of his trade, and not apprehending any dangerous matter to be in the book, reprinted a small paper of two sheets called *An Appeal from the Country to the City*, which had been printed by another in four sheets, and publicly sold by most booksellers in London some time before. For this, he has been sentenced to stand in the pillory, which ignominious punishment he has suffered, and to pay 500*l.*, or lie in prison till it is paid. He has been nine months in prison, and is quite unable to pay. Prays their Lordship's compassion on a poor and undone Protestant. [Read this day and referred to a Committee appointed to consider of fines lately imposed on delinquents (L. J., XIII. 687), and to take care to prevent libels (ib. 690). This Committee met on the 25th, with E. Ailesbury in the chair. On the question whether the judges could set such a fine as should be an imprisonment for life, the latter said they desired no arbitrary power. *Justice Wyndham:* Amerciaments are to be set *per pares* by the country, except upon officers of the Court, &c., where the Court can amerce. Fines for offences have never been taken within the Statute of Magna Charta. Upon all fines there is consequentially an imprisonment till the fine be paid. If we do not justly, we are subject to your judgment, and it is our happiness that we are so. If there be no cause for a fine, a writ of error lies before you. If there be cause for fine, there may also be a writ of error, for an unreasonable fine is, in my judgment, an unlawful one.—Q. Is it consonant to the rules of your court to imprison for life? *Justice Jones:* We imprison during the King's pleasure, and never during life. Offences by the Common Law have no particular limit. There was never any fine imposed upon any man, but we supposed he was able to pay it; and we always inform ourselves, as well as we can, of the parties' ability to pay.—Question, whether judges can fine a man to that degree as to ruin him and his family. *Justice Wyndham:* Magna Charta distinguishes between amerciaments and fines. Fines have never been set *per pares*, but by the Court. If fines be set according to a man's estate, then a

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man of a small or no estate will escape unpunished. If we fine men unfineable, a writ of error may bring it before you, and you may redress it; the fine, being part of the judgment, will appear on the record. *Justice Jones:* It is impossible to say when the distinction began between amerciaments and fines. The Courts have imposed fines, as we can show, before Edward III.'s time. I take it, it was proved on oath, that this Harris got 30*l.*, 40*l.*, or 50*l.* a week by printing the Weekly Intelligence. *L. C. Baron:* In the Exchequer we levy fines, but impose none. *Justice Raymond:* We desire we may attend your Lordships with precedents. It is the Court and not the Country which amerces the Sheriffs. *B. Atkins:* Amerciaments are commonly in civil causes, but where the offence is against the King or the peace, it is a fine. A writ of error cannot reverse an extravagant fine for being so. *B. Gregory:* It is very nice to distinguish between fines and amerciaments. The latter are sometimes for misdemeanours. If a fine be made according to the offence, it will be nothing to some men, which would undo others. *Baron Weston:* We execute the royal authority, and in a high nature. Most men's interest depends upon our integrity. The judges were trusted with setting fines in Richard III.'s time. If a judge set fines extravagantly, application is made to the King, as in Edward I. and Edward III.'s time, where all of them, except two, were turned out of their places for so doing. If you set a fine to the estate, then rich men will clandestinely set beggarly fellows to commit crimes fineable, &c. Magna Charta has made it a part of the freedom of the subject to be tried by juries. Amerciaments and fines have been as ancient as the Common Law itself. Where there have been high offences, the judges have always set high fines.—Question, whether a fine be within Magna Charta? *Baron Charlton:* I think it is not. Grasley's* case, 8 Report, in Q. Elizabeth's time, is the distinction between amerciaments and fines. I believe by a writ of error an unreasonable fine may be remedied; but if a writ of error will not lie, I think it were well that it should (Com. Book 25 Nov.). No further proceedings are recorded.]

302. Nov. 25. Northumberland Peerage.—Petition of James Percy. Sets forth that this is the eleventh year of Petitioner's claim to the Earldom of Northumberland. By several trials at law he has been proved a true Percy legitimate, and no impostor, as once a Gazette published. He has suffered from the high privilege, policy, and potency of his opponents, the treachery of his solicitor, and the falling away of some of his counsel. As William Percy, the claimant's brother, was put up to obstruct proceedings, now Francis Percy, Stone-cutter, is cried up, who declared himself to be the grandson of Thomas Percy that was in the Gunpowder Plot, who in truth was the son of Robert Percy, Petitioner's great uncle. Prays that a day may be appointed for hearing, allowing fourteen days time to summon in witnesses. L. J., XIII. 687. *See also* Calendar, Ninth Report, Nos. **86, 262.**

303. Nov. 25. Sevier v. Row.—Petition of Thos. Row and Thos. Greene, Defendants, praying for leave to take out execution on a judgment in the Court of King's Bench against Thos. Sevier *alias* Savier, who has brought a writ of error thereupon, but has not yet transcribed or brought in the Record. L. J., XIII. 688. *See also* No. **320.**

Annexed:—

(*a.*) 25 March 1681. Petition of same for a day for hearing. L. J., XIII. 753–4.

* The reference is clearly to Griesley's case, 30 Eliz. Coke's Reports, Part 8, fol. 38.

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(*b.*) 25 March 1681. Petition of Thomas Sevior, *alias* Savior, the Plaintiff. Notwithstanding an Order of the House for hearing the Cause had been served on Defendants, they had taken Petitioner's goods in execution, and their Attorney, Dutton Seaman, had used scurrilous language towards the House. Prays for restitution, and a day for hearing. L. J., XIII. 754.

(*c.*) 25 March 1681. Draft Order on above Petitions. L. J., XIII. 753–4. *In extenso.*

304. Nov. 26. Williams v. Herbert.—Petition and Appeal of Roger Williams and Roger Williams, Junr. Complains of a decree of dismission in Chancery in 1679, in respect of the reversion of certain property at Landbaduck, Monmouthshire, which petitioner purchased of one Wm. Morgan, who failed, however, to perfect the assurances, and afterwards, to defeat the purchase, conveyed the premises to Herbert. Prays that Respondents may be ordered to answer, and the proceedings in Chancery stayed. L. J., XIII. 691.

Annexed:—

(*a.*) 4 June, 1685. Answer of Thos. Herbert, Esq. Respondent was a bonâ fide purchaser from Morgan, and knew nothing of any previous conveyance, and the dismission was just and warranted by the rules of equity. Prays that the Appeal may be dismissed with costs. [Brought in this day. MS. Min.]

305. Nov. 26. Dissenters (Repeal of 35 Eliz.) Bill.—Commons' Engrossment of an Act for the repeal of a Statute made in the thirty-fifth year of the reign of Queen Elizabeth. The preamble is erased, and wholly illegible. Enacts that the Act of 35 Eliz., viz., An Act to retain the Queen's Majesty's subjects in their due obedience, shall stand repealed. *Parchment Collection.* [Read 1a this day; The preamble was struck out in Committee of the whole House (L. J., XIII. 692, 717. MS. Min. 15 Dec.). Returned from the Commons on the 17th with the amendments agreed to (L. J., XIII. 719); but not further proceeded with. *See also* No. **386**.]

Annexed:—

(*a.*) 15 Dec. Lords' Amendments to the Bill. Reported and agreed to this day. L.J., XIII. 717.

306. Nov. 27. James v. Richardson.—Copy Writ of Error, &c., brought in this day, with Tenor of Judgment of 1 July 1685 attached. L. J., XIII. 693. [The Cause was heard on 1 July 1685. L. J., XIV. 70. *Mr. Pollexfen* and *Mr. Holt* appeared for Plaintiff, and *Sir Edward Herbert* and *Mr. Holles* for Defendant. MS. Min.].

Annexed:—

(*a.*) 1 June 1685. Petition of Plaintiff, praying for a day to be appointed for the Defendant to join issue, and for hearing the cause. [Brought in 30 May; read this day. L. J., XIV. 25.]

(*b.*) 10 June 1685. Petition of Defendant. Prays that, if the Writ of Error still depends, Petitioner may not join issue nor make answer until the Plaintiff has been proved to be alive and has restored to Petitioner the 30*l.* he levied on his goods. L. J., XIV. 36.

307. Nov. 27. Wycherley v. Tyler.—Petition of Daniel Wycherley, of Clyve, in the County of Salop, Esq. Some forty tenants of the Manor of Wem having brought their bill in the Exchequer against Petitioner, as lord of the manor, to confirm twenty several pretended customs of the manor, after two of their bills—one in Chancery, and another in the Exchequer—had been dismissed, two trials were had in the Exchequer, upon several issues directed by the Court, upon which

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two several sums of 95*l.* costs were taxed to be paid by Petitioner. William Fenton, the principal plaintiff with several others (who had disbursed all or most of the money in the suits), having applied to Petitioner for a final agreement, Petitioner paid them the two several sums of 95*l.*, and obtained discharges therefor. Notwithstanding this, one George Tyler, named a plaintiff, and others (who expended little or no money in the suits), obtained an order in the Exchequer against Petitioner to pay the one 95*l.* then and there, and the other 95*l.* on the last day of term, or in default to be committed to the Fleet. Petitioner brought his bill in Chancery to be relieved against this double payment, but the Court refused to interfere. Prays to be heard before their Lordships, and that meanwhile all proceedings may be stayed. L. J., XIII. 692. MS. Min. 26 Nov.

Annexed:—

(*a.*) 6 Dec. Answer of George Tyler and other tenants of the Manor of Wem. The Appeal is from an interlocutory order in Chancery for costs only, Respondent's pleas to Petitioner's amended bill being yet unargued. The Appellant, finding Felton displeased with Respondents for having employed another agent, being unable to defray his extravagant expenses, obtained a fraudulent release from him, by means of fair promises, contrary to the trust reposed in him by the rest of the tenants, who have paid Felton 1,400*l.* for his expenses, for which he refuses to render an account. The Appeal is merely to weary out Respondents, who have lost some 23,000*l.* in the late fire at Wem. Appellant has his proper remedy against Felton at common law; though in fact he never actually paid the two sums of 95*l.* to Felton at all, but took the release as a consideration for enfranchising his copyhold estate. As to releases from other of the Respondents, they were gained, if at all, from indigent tenants, who were forced to seal them to avoid imprisonment for debt, and are in no way binding on the rest. Pray that the Appeal may be dismissed with costs.

(*b*) 8 Dec. Petition of Appellant for ten days further time for hearing, Respondents' answer being so long. [The House dismissed the Appeal, as being from an interlocutory order. MS. Min. 13 Dec. L. J., XIII. 714.

308. Nov. 27. Jeneway v. Bedford.—Petition of William Jeneway and Elizabeth his wife, with Robert Dickons and others. Complain against a decree in Chancery in 1678, whereby they conceive themselves wronged, as set forth in their case annexed. L. J., XIII. 693. [The cause was heard on 16 June 1685 (L. J., XIV. 44). *Mr. Wallop* and *Mr. Cresset* appeared for Appellant, and *Mr. Rawlinson*, *Mr Porter*, and *Mr Hutchins* for Respondents. MS. Min.]

Annexed:—

(*a.*) 27 Nov.—Petition of same (referred to in preceding as their Case). Edmond Arnold, late of Doctors Commons, by his will in 1675, left certain legacies to his brothers' and sisters' children, the residue of his personal estate to be distributed amongst his kindred, according to their need, by his Executor Thos. Bedford, with the assistance of Edward Buncher, John Steare the younger, and John Buncher the younger, who were also named as particular legatees. Petitioners, being the nearest of the testator's kindred that had no legacies, and very needy, brought their bill in Chancery against the Executor and his assistants, and the Court decreed that the distribution of the surplus, amounting to 1,500*l.*, should extend only to the testator's brothers and sisters

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and their children. Appeal from this Decree, as contrary to the true construction of the will, which put no such restriction on the definition of kindred, and could not have intended that those who assisted in the distribution, should distribute to themselves, or that the legatees of particular legacies should share in the surplus. [Appended to preceding.]

(*b.*) 8 Dec.—Answer of Thos. Bedford. The Court below decreed that the Act for better settling Intestates Estates should be the rule for limiting the extent of the word Kindred, and limited it to the testator's sister Ann Carr, and her children, and the testator's other nephews and nieces then living. Respondent has made payment as directed, and submits that he should not be compelled to pay the moneys over again. [Brought in this day.]

(*c.*) 8 Dec.—Answer of Edward Buncher, John Steer, and John Buncher. The appellants are but the grandchildren of the testator's father's sister, and moreover have separate property. If degrees so remote were admitted, there would be above a hundred more claimants. The rest of the answer is identical with preceding. [Brought in this day.]

(*d.*) 9 Dec. 1680—Copy order appointing a day for hearing. L. J., XIII. 709. *In extenso.* [Enclosed with next paper.]

(*e.*) 26 May 1685.—Petition of Appellants. Their appeal was appointed to be heard on 17 Dec. 1680, but the several prorogations and dissolutions have delayed the hearing, much to Petitioner's injury. Pray the House to resume the cognizance of their appeal, and to appoint another day for hearing. L. J. XIV. 18.

(*f.*) 1 June 1685.—Answer of Thos. Bedford, Gent., to Appellant's Petition for reviving his Appeal. Identical, almost throughout, with his former answer. [Brought in this day; read 6 June. MS. Min. of dates.]

(*g.*) 2 June 1685.—Answer of Edward Buncher and John Buncher to Appellant's Petition for reviving his Appeal. Identical, almost throughout, with their former answer. [Brought in this day (MS. Min.). On the 15th an order was made for the cause to be heard the next day. (MS. Min. 15 June. No entry in L. J.).]

309. Nov. 29. Bourne v. Tynt.—Petition and Appeal of Gilbert Bourne, Esq. Complains of a decree in Chancery of 1679, awarding a portion of the personal Estate of the late Roger Bourne, Esq., which was vested in trustees to be entailed, and which Petitioner claims as a remainderman under the will, to Helena and Florence Bourne, the widow and daughter of the testator. Prays that Respondents may be ordered to answer. [Received this day (MS. Min. of date); Read 13 Dec. (L. J., XIII. 713; *See also* MS. Min. 10 Dec.). On 13 Dec. it was moved that the order might pass as to the Members of the House of Commons that were concerned. Their consent declared by the Bishop of Bath and Wells. They are but Trustees. (MS. Min. 13 Dec.)] Annexed:—

(*a.*) 8 Jan. 1680–1.—Answer of Helena Bourne, widow and relict of Roger Bourne, Esq., deceased, and Florence Bourne, an infant, under the age of one and twenty years, by the said Helena Bourne, her mother and guardian. The Decree appealed against is just. Pray the Appeal may be dismissed with costs.

310. Nov. 29. Greenhill v. Thomas.—Petition of Thomas Greenhill. Petitioner's father Henry, late Governor of Fort St. George in the East Indies, died in 1568, leaving an estate of upwards of 40,000*l.*, which

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should have descended to Petitioner and his two younger brothers George and Henry. But Petitioner's uncle John, since deceased, set up, in collusion with Sir Thomas Chambers, a pretended will in their favour, which in truth was framed after the death of Petitioner's father, and while Petitioner was an infant under his uncle's tuition. In this will John, who owed Petitioner's father 10,000*l.*, was named an Executor. Petitioner, being deceived at first into the belief that the will was genuine, prosecuted a suit in Chancery for the recovery of his own and his brother's shares of the Estate thereunder; but afterwards, on discovering the fraud, he contested the will in the Prerogative Court against Dr. Chambers and his wife, Honour, the daughter of the said John Greenhill. The Court pronounced against Petitioner, although no original will nor copy, nor Act of the said Court or inventory of the Estate, nor sufficient proof was made before them to warrant such sentence. This sentence was confirmed on appeal by the Court of Delegates, purely on the confession of Petitioner's answer in Chancery, into which he was surprised. Appeals from the said sentence. [Endorsed with above date. No entry in L. J. or MS. Min., but mentioned in No. **312.**]

311. Nov. 29. Trippeir v. Farmer.—Petition of Daniel Trippeir, surviving lessee. Petitioner and Edward Ellis, since deceased, held a lease for 24 years of certain lands near Holbech, in Lincolnshire, by Royal letters patent, on condition to make out his Majesty's title and to pay for every acre recovered 6*d.*, save for 1,000 acres 3*d.* In 1674 they exhibited an information in the Exchequer in the name of the Attorney-General, against Sir Edward Farmer and Thos. Farmer, who claimed a large part of the land under an alleged grant of James I. to one Freeman. The Court decided that the right to the lands lay in the King and the lessees, unless the grant of James I. comprehended those very lands in the information mentioned by general words, that grant being not only of all fresh but of salt marsh then or afterwards deserted by the sea in or near the place in question. A case being settled by order of the Court, the extent of Freeman's grant was argued thereon, and the judges being divided and Sir John Ernle absent, the cause was in 1677 re-heard before the full bench and the two Chief Justices, when the Court declared that the defendants had no title to the lands by virtue of Freeman's grant, and issued an injunction to put Petitioners in possession and that defendants should account for profits, and be allowed the moneys expended by them in banking the lands. This decree was signed by Sir John Ernle and Baron Thurland, but the Chief Baron would not sign it unless Baron Bertie first signed, though he had at both hearings declared himself for it, and Baron Littleton refused because the Chief Baron refused. Notwithstanding this decree, a trial at law was ordered by a Lincolnshire jury upon two issues, and a verdict thereupon was given for defendants, although all Crown and monastery lands, whereof the premises are parcel, appeared by matter upon record, of which the judges are the proper expositors, to belong to the manor of Holbech Abbotts and to be granted in jointure to Queen Ann, Queen Henrietta Maria, and the Queen Consort. Inasmuch as their Lordships' order requires two counsel to sign petitions of appeal, and Petitioner's counsel Sir Robert Sawyer and Mr. Holt refuse to sign it, Petitioner prays their Lordships to send for his attorney, who can attest the whole matter of fact, so as the said decree may be confirmed. [Received this day. MS. Min. of date. No entry in L. J.]

312. Nov. 29. Petitions.—List of petitions received this day.

313. Nov. 29. Oort v. Pensaz.—Petition of Daniel Pensaz, mariner, praying for leave to take out Execution on his judgment in the Court of

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King's Bench, Oort having delayed to bring in the Transcript of the Record. L. J., XIII. 695. MS. Min. of date. *See also* No. **333.**

314. Nov. 29. E. Strafford's Privilege.—Petition of Jane Winter, widow, and administratix of Edmund Newcomb. The Earl in 1660 gave Newcomb a bond in 600*l.* for payment of 361*l.* 10*s.*, at a show day, and also became indebted to him in a book debt of 100*l.* Petitioner, his administratrix, after several proffers to take the debt by the rent of any farm as it came up yearly, sued his Lordship, without success. Prays for leave to continue her process upon the roll, from term to term, so as to recover her debt when his Lordship's privilege of Parliament is expired. L. J., XIII. 694.

315. Nov. 29. Tomkins v. Progers.—Petition and Appeal of Thomas Tomkins and Sarah, his wife. John George Steiger, Esq., a Scotchman born, married Anne Bryars Wharton, a widow, who, having only a daughter named Bryars, the wife of Sir John Crofts, since deceased, sold her inheritance in the county of Bedford, with the consent of her husband, who with the money so raised, and some of his own, purchased certain property, late of William Heveningham, Esq., in Hockwell, Wilton, Weeting, and other places in Norfolk and Suffolk, as a life estate for himself and wife. Steiger, being childless, devised his property, after his wife's death, to her sister, the Respondent Sarah, and executed a will accordingly, which he left in Sarah's custody. After his death, one Edward Progers, Esq., without any inquisition, and on pretence that Steiger was a German born and an alien, procured a grant of his estate from his Majesty, and having combined with one Cicely Pooley, since deceased, and Richard Sporre, prepared a draft of a will for Aune to execute before death, giving all her estate to the confederates, and by colour of the said will, though the same was never executed, and of the said grant, the confederates took possession of the estate and deeds. Petitioners then brought a bill in Exchequer, denying a pretended will of Lady Crofts, and declaring that Steiger was not an alien, but, after a hearing in July last, the Court refused relief and dismissed the bill. Petitioners Appeal against this dismission. [Received this day, M.S. Min. of date. No entry in L. J.]

316. Nov. 29. Irish Papists in London.—Petition of Walter Browne, Thos. Laffan, Robt. Walsh, and Darby Maguire. Petitioners on 29 October last were sent to the Gatehouse on suspicion of being Irishmen and papists. On the 30th they were examined before the Lords' Committee and from thence taken back to prison, where they still remain in a most deplorable condition, starving, without fire or light, and fallen sick with the shaking ague and other distempers. Inasmuch as some were on their way home, others, Protestants, and all willing to leave the city, they pray to be released. L. J., XIII. 694. MS. Min. 6 Nov. [Laffan was willing to conform to the Church of England. Walsh had just come from France. Browne was a Papist and had been here six years to solicit the King for money his father had lent him, without which he could not go. Maguire was a seaman and a Protestant, born in Virginia, and was going away with Capt. Clement in the Fortune to the West Indies. 'Exam. Book 30 Oct.] *See also* Nos. **256** and **270.**

317. Nov. 29. Conspiracy in Ireland (E. Tyrone).—Letter from the Lord Lieutenant and Council of Ireland to the Lords of the Privy Council at Whitehall. States that since their last despatch of the 22nd instant, transmitting attested copies of the proceedings against E. Tyrone, a certificate had come to their hands from the Clerk of the Assizes at Waterford of the proceedings there against the Earl, which certificate they enclose (*See* Annex *a.*). *Endorsed:* Read in Council

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8 Dec. 1680. [Bourke and Sampson gave evidence against the Earl before the Committee of Examinations on 27 Oct. The latter stated that the Earl had sent Bourke to prison for refusing to enlist in the French service. Witness had seen a letter which purported that the King of France would subdue England. Keeting, the Duke of York's advocate, was made judge purposely to try the Earl. (Exam. Book.) The rest of the evidence, as afterwards taken down in writing, is given in L. J., XIII. 643.* Further evidence against the Earl was taken before a Sub-Committee, consisting of E. Shaftesbury, E. Essex, E. Burlington, and V. Fauconberg (Exam. Book 3 Nov.). Some Examinations, reported by the Committee on 9 Dec., were ordered to be sent to the Commons, (MS. Min.), who in turn communicated further papers to the Lords' Committee. (Exam. Book 16, 17 Dec.)]

Annexed :—

(*a.*) 22 Nov. Letter from Jo. Langton, Clerk of the Crown for the County of Waterford, to Matthew Barry, Deputy Clerk of the Council of Ireland. States that in obedience to an order from the Lord Lieutenant and Council, requiring copies to be transmitted of all proceedings concerning the trial of E. Tyrone, he encloses copies of two indictments exhibited against the Earl at Waterford Assizes, which were ignored by the grand jury, and also the names of the grand jury. The Examinations which were annexed to the indictments were taken back from his and deputies' hands by the judges who brought them down from the Board or King's Bench, and were only left in his office during the time of the Assizes. *Dated* Cork, 22 Nov. 1680. *Endorsed*, Received 26 Nov. 1680.

(*b.*) Copy of Indictment against E. Tyrone, dated 11 March 1679–80, for having conspired with Wm. Bradley of Ballygarran, on 28 October, at Curraghmore, County Waterford, to capture Limerick, and bring in the French. Ignored by the Grand Jury, whose names are given. [Enclosed in preceding letter. *See* L. J., XIII. 644. On 4 Jan. 1680–1, Bourke stated that he knew Bradley, but that he knew nothing against him. The next day, the House being informed that Bradley had something of importance to inform of, Bradley was heard at the Bar. He stated that one William Poore [Power] and Thomas Fitz . . . . [*sic*] were to raise men to go with E. Tyrone to Holland, but he knew not who were to be enlisted. (MS. Min. 4 and 5 Jan.)]

(*c.*) Copy of Indictment against E. Tyrone, dated 14 August 1679, for having said to Hubert Bourke, at Curraghmore, on 1st Nov., "that he had heard lately from France that the French were very powerful, and that they intended to land very soon in Ireland, where 'parle Français' should be very plentiful; that he believed the French king would soon subdue both England and Ireland, and that he best deserved to be Defender of the Faith; that one Robert Power, who studies the law in the Inns of Court, had written to him that the French King had a great stroke in England already." Upon Bourke's saying "If things be so, we shall be killed," the Earl replied "No, by Gog, for I will make my conditions for this side of the country, for there

* With regard to Eustace Comyn, another Irish informer against E. Tyrone (L. J., XIII. 647), the Committee for Examinations on motion, ordered to report for an Address to the King that he might have something to subsist on. (Exam. Book 16 Dec.). The House, however, on report disagreed to the proposal. (MS. Min. 16 Dec.)

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was no faith to be given to them in England; for they will deal with all people as they have dealt with me about the lands of Deaces [Decies], giving me a Grant or Patent of it, and no sooner do they give it, but they take it away again; but by Gog they shall have the best blood in my body before they shall have it again; and if you will be advised by me, I will put you in a quick way to get your Estate again." Ignored by the Grand Jury, whose names are given. [Enclosed in Annex (*a.*) above.]

(*d.*) 3 Jan. 1680–1. Petition of Richard, Lord Power, Baron of Curraghmore and Earl of Tyrone, in Ireland. Sets forth that his ancestors, being of English extraction and descended from the family of the Powers in Oxfordshire, assisted the Crown of England in the conquest of Ireland nearly 500 years ago. That branch of their family then settling in part of Ireland, called to this day the Powers' Country, received large grants of land and titles of honour from the King of England for their faithful service. Petitioner, being of untainted loyalty, has about two years since had his allegiance questioned by certain mean persons of no estate or credit and of profligate lives, and all of them, but one, Papists engaged in the late horrid rebellion, who have succeeded so far that Petitioner being under some or all of their prosecution since March 1678, although two grand juries of Waterford have ignored bills preferred against him, has nevertheless not yet been able to obtain his liberty, but has been constantly a prisoner in Dublin Castle or under bail from his first prosecution, and is now prisoner, by order of the House, in the Gatehouse, Westminster, to his almost utter ruin, on pretence of a crime that never entered into his thoughts. Petitioner is a Protestant, and has brought up his two sons as Protestants, and he is ready to sacrifice himself, if necessary, for that religion. Prays their Lordships to receive better information concerning him, wherein he doubts not to have the generality of Protestants in Ireland, and very many in England, as his compurgators, and that for his defence he may have true copies of all examinations, warrants, and other proceedings sent out of Ireland concerning him, or to afford him another grand jury, if the law admits, or to give him leave to prosecute the conspirators, and to discharge him from all civil actions, pending his custody. L. J., XIII. 729.

(*e.*) 15 Oct. 1681. Certificate of Deputy Clerk of the Parliaments with extracts from Journals relating to proceedings against the Earl of Tyrone.

(*f.*) 12 May 1685. Copy of Bail-piece on a Habeas Corpus for Richard Power, Esq., Earl of Tyrone, to appear on the first day of the next Session of Parliament. The Sureties, viz., Wentworth Dillon, E. Roscommon, Hugh Montgomery, E. Mount Alexander, Nicholas Taaff, E. Carlingford, and James, L. Annesley, are bound in 5,000*l.*, and the Party in 10,000*l.* Dated 12 Feb. 1683–4. Endorsed as received this day. *See* L. J., XIV. 8, 24.

(*g.*) 16 May 1685. Writ of Certiorari to bring up Recognizance of E. Tyrone, with Return of C. J. Jeffreys thereto, and Bail-piece appended (*See* preceding paper). Dated this day. *See* L. J., XIV. 8, 24.

318. Nov. 29. Protestant Religion Security Bill.—Amended* draft of an Act for securing the Protestant Religion. For preventing

* The additions are shown by italics, the omissions by square brackets.

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dangers which may happen from Popish Recusants by the death or demise of the King's Majesty that now is, and for the quieting of the minds of his Majesty's good subjects, the Bill enacts that in case at such death or demise of the King's Majesty that now is (whose life Almighty God long preserve, keep and maintain in his most Royal Estate), this present Parliament now assembled, or any other Parliament which shall at any time hereafter be assembled and held, shall be sitting or in being, or shall be prorogued or adjourned, or continued by prorogation or adjournment, the two houses thereof then in being shall *and are hereby required* immediately from and after such death or demise *to* continue sitting for six months thence next ensuing, and if adjourned or prorogued shall [immediately] *and are hereby required within twenty days to* convene and assemble themselves at the usual place at Westminster and there *or at any other place to which they shall think fit to adjourn themselves* shall continue sitting for the space of six months next after such demise or death. And in case no Parliament shall be in being at the time of such his Majesty's death or demise, that then it shall and may be lawful to and for the said two Houses and all and every the Members of the same who sat and served in the last Parliament next preceding his said Majesty's death or demise, to convene and assemble themselves immediately after such death or demise as aforesaid at the usual place aforesaid, and there *or at any other place to which they shall think fit to adjourn themselves* to continue sitting for the said space of six months from such death or demise as aforesaid. And be it enacted by the authority aforesaid that all ecclesiastical and spiritual promotions and benefices in the gift of the crown, being vacant at the death of His said Majesty *or that shall become void during the continuance of the said Parliament*, shall be conferred and presented by direction of the said two Houses of Parliament so sitting or to be convened and assembled as aforesaid during the said six months and so and in such manner that the incumbents and persons to be *presented and* conferred shall be of the most pious and learned Protestants; and that James, Duke of York, nor any Popish successor while he or they shall continue so, may be or shall have any power to control or make void the presentations so to be made, nor to dispose of any of the said ecclesiastical or spiritual benefices or promotions belonging to or in the gift of the Crown. And whereas in one Act of Parliament made in the 30th year of his now Majesty's reign, intituled An Act for the more effectual preserving the King's person and government by disabling Papists from sitting in either House of Parliament, is contained one proviso in these words following, viz., Provided always, that nothing in this Act contained shall extend to his Royal Highness the Duke of York, be it enacted by the authority aforesaid that the said Proviso and every matter therein contained shall be from henceforth repealed and utterly void, anything in the said Act contained to the contrary in any wise notwithstanding. And be it further enacted that the said James, Duke of York, shall be and is hereby disabled from being Admiral of Ireland, *or any of His Majesty's Dominions in the East or* West Indies and [Tangier] *Africa*, or any of them and from bearing any other office in England or Ireland or other the dominions to either of them belonging during the life of his now Majesty; And in case the *Imperial* Crown *of this Kingdom* shall come to the said Duke of York, *which God of His Mercy prevent*, he shall be and is hereby debarred from having any negative voice in Parliament, and shall be disabled from disposing of any offices, civil, ecclesiastical, or military, from raising any forces by sea or land within England or Ireland without consent of both Houses of Parliament. And in case any places in the Privy Council or any

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offices belonging to the Militia, Admiralty, etc., shall be vacant at the death of his now Majesty, the same shall be disposed of and filled up by the two Houses of Parliament then sitting or to be then convened and assembled as aforesaid. And in case the said James, Duke of York, shall raise or attempt or offer to raise any such forces without such consent of both Houses of Parliament as aforesaid, it shall and may be lawful to and for any the people of England to oppose such forces so raised and such attempts for raising the same as aforesaid,* *and the persons so raising such forces in this Kingdom, or introducing any foreign forces, and the officers and soldiers so raised or introduced into this Kingdom are adjudged to be levyers of War against the King and shall be incapable of pardon but by Act of Parliament.* And lastly in case this Parliament shall not be sitting or in being at the death or demise of his now Majesty, then and in such case it shall and may be lawful to and for † persons to be named by this present Parliament or any subsequent Parliament which shall precede the death of his said Majesty or any of them to dispose of and fill up all vacant offices and places until the convening and assembling of the said two Houses or sitting of the next Parliament, which said disposition shall be approved or disapproved by the said Houses or Parliament when assembled as aforesaid. [Read 1ª. this day having been ordered to be prepared by Justices Jones and Raymond on the 27th, to give effect to the Heads agreed to on the 23rd. (*See* No. **297.**) L. J., XIII. 692, 694. Dropped in C.W.H. with the prorogation on 10 Jan. 1680–1.]

Annexed :—

(*a.*) Lords' Amendments to the Bill. Made in C.W.H. on 13 Dec. 1680 and 8 Jan. 1680–1. M.S. Min. of dates. They are embodied, in italics and square brackets, in the text above.

(*b.*) 8 Jan. 1680–1. Heads reported this day, to be prepared as clauses by the Judges, L. J., XIII. 740. *In extenso.* [It would appear from the M.S. Min. of date that the original proposal was that the Duke of York should live "in some part of Italy."]

(*c.*) 8 Jan. Order for the Judges to draw clauses on preceding. L. J., XIII. 740. *In extenso.*

(*d.*) Clauses prepared by the Judges, in pursuance of preceding order. They correspond almost *verbatim* with the Heads (Annex *b.*), of which they are merely an amplification. *Undated.* [No notice in L. J. or M.S. Min. of this paper having been offered.]

319. Nov. 30. V. Stafford's Trial.—Commission for a Lord High Steward at the trial of V. Stafford. *Parchment Collection.* L. J., XIII. 696. *In Extenso.*

320. Dec. 3. Sevier v. Row.—Writ of Error, &c., brought in this day. L. J., XIII. 699. *Parchment Collection* [Colke in L. J. is a mistake. *See also* No. **303.**]

321. Dec. 3. Papists (Removal and Disarming) Bill.—Draft of an Act for the better securing the present peace of this Kingdom by removing several principal persons of the Popish religion from their

* Here follow the words (struck through, but as a correction, not an amendment) "The Statute made in the 14th year of his now Majesty's reign intitled An Act for ordering the several forces in several counties of the Kingdom, or any other precedent or subsequent thing, statute, or any other matter or thing to the contrary in any wise notwithstanding."

† The Committee proposed to fill this blank with 41. M.S. Min. 8 Jan. This does not appear on the paper of Amendments, Annex (*a.*). Comp. L. J., XIII. 740.

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respective habitations and confining them to some other parts and places within this Kingdom, and for disarming all Papists. "Whereas it is notoriously known and hath been so declared both by the King's Majesty and both Houses of Parliament that there hath been a horrid and treasonable Plot and Conspiracy contrived and carried on by those of the Popish religion for the subverting the Protestant religion, and in order thereunto for the murdering his Majesty's sacred person, *which said wicked design still continues;** And whereas for the prevention thereof his Majesty by his Royal Proclamation and the House of Peers by their several Orders have commanded all Papists to retire from the Cities of London and Westminster, to which there hath not been due obedience given; but in contempt of the same, Papists in great numbers have been and are so hardy to abide and remain in or near the said cities, which their audacious contempts must necessarily spring from the encouragement they have and the assistance they expect from the principal persons of their religion in other parts of the nation; The Lords Spiritual and Temporal and the Commons in this present Parliament assembled do therefore humbly desire the King's Majesty that in this case of imminent and extraordinary danger it may be enacted, and be it enacted, &c., That the several Sheriffs for the time being of the Counties and Cities within this realm of England, Dominion of Wales, and town of Berwick-upon-Tweed, where the several and respective persons herein-after named shall inhabit or be found, do and shall seize, apprehend, and take into their custody, or cause to be seized, apprehended, and taken into their custody, the said person and persons, that is to say . . . , and shall at the charges of the said persons, with all convenient speed, convey them from the places where they shall inhabit or be found, to the respective places herein-after mentioned, that is to say . . . . *And be it further enacted that the said person and persons* shall continue and remain *for the space of six months and* during and until the end of the next Session of Parliament *from and after the end of the said six months, that thereby there may be a greater caution and security given for the peace and quiet of this Kingdom; And be it further enacted by the authority aforesaid, that* in case any of the persons named in this Act† shall at any time *before the end of the said six months, or* during and until the end of the next Session of Parliament *after the said six months,* depart or *presume to* remove from the places *and bounds of their confinement* mentioned *in this Act,* that then and in such case such said person and persons so offending herein shall suffer imprisonment during life without bail or mainprize.‡ Provided that no person confined by *virtue of* this Act shall have any Habeas Corpus granted to him to remove him from such place of his confinement, *any law, usage, or statute to the contrary notwithstanding;* And be it also enacted by the authority aforesaid, that all such *arms,* armour, *weapons,* gunpowder and munition of whatsoever kinds as any Popish recusant *convict* within this realm of England hath or shall have in his house or houses or elsewhere, or in the hands or possession of any other at his or their disposition, shall within eight and twenty days *after the Royal Assent given to this Bill*§ be brought unto the several Sheriffs of the counties and cities where the same shall be, *and that the same arms, armour, weapons and munition*

* The italics, here and elsewhere in the text, show the additions made to the rough draft (Annex (*b.*)).

† The rough draft (Annex (*b.*)) has "in case he or they at any time, during."

‡ Here the clause given in Annex (*a.*) is marked for insertion.

§ Substituted in rough draft for "next ensuing."

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so taken shall be kept and maintained at the costs of such recusants in such places as the said Sheriffs shall set down and appoint; And be it further enacted by the authority aforesaid, that if any person or persons after the end of the said twenty-eight days shall discover and make known to any such Sheriff or Sheriffs *or to any Justice of Peace of the respective counties* any *arms*, armour, *weapons*, gunpowder or other munition to be in the house or houses of such Popish recusant, or in the hands or possession of any other at his or their disposition, that then *every such Popish recusant shall forfeit to every such person and persons making such discovery ten times the value of such arms, armour, weapons, gunpowder or other munition as shall from time to time be so discovered, to be recovered by action, bill, plaint, information, or otherwise, in which action no essoigne, protection, or injunction shall be admitted or allowed.*"* [The House, this day, referred it to the Committee for Examinations to prepare a Bill, with the assistance of Justice Dolben and Baron Atkins, for the commitment of the Papists therein named, and to present it to the House. L. J., XIII. 700. On the 4th these two judges delivered in to the Committee the draft of a preamble to a bill for seizing and removing Papists. After reading it, the Committee ordered that when Papists were seized they should be removed by the Sheriff out of the counties where they lived, as those from the West into the East, and *vice versâ*, and this to be done at their own charges; that there should be a proviso in the bill that they should not be removed by Habeas Corpus; and that the Papists should be removed as follows, viz.: those in Yorkshire to Exeter, in Hampshire and Dorsetshire to York, in Staffordshire to Winchester, in Lancashire to Norwich, in Cheshire to Reading, in Sussex to Lincoln, in Middlesex to Shrewsbury, in Northumberland to Worcester, in Berkshire to Nottingham, in Oxfordshire to Chester, in Wiltshire to Coventry, in Norfolk to Leeds, in Suffolk to Gloucester, in Gloucestershire to Canterbury, in Cumberland to Chichester, in Monmouthshire to Leicester, in Hereford to Colchester, in South Wales to Aylesbury, in Kent to Stamford, in Essex to Newark, in Durham to Hertford, in Westmoreland to Northampton. The judges were then ordered to have the preamble and to draw enacting clauses upon the heads following: (1.) That the Sheriffs execute the Act at the charges of the Papists they secure; (2.) That the Act be in force till the end of the next Session of Parliament; (3.) That the Papists bring in their arms within a month; that after that time every person that shall discover any arms in any Papist's custody shall have a reward three times the value of the arms so discovered, and if it shall be proved the said Papists hid or concealed the said arms, or knew of the hiding thereof, he shall undergo the penalty of Præmunire; (4.) That there be a proviso in the bill that they shall not be removed by Habeas Corpus (Exam. Book 4 Dec.). On the 6th the E. Bridgwater delivered in a list of Papists in Buckinghamshire (*see* Annex *c*[48]), and informed the Committee that there were not many Papists in that county, and those that were there were not of great quality. Taking notice that the Papists in South Wales were to be removed to Aylesbury, he desired that, as there were so few Papists in Bucks, the Welsh Papists might not be brought thither to pervert more. Baron Atkins then delivered in the draft of the Bill which he was to draw. The Bill being read, he was directed to draw the clause concerning the discovery of arms, so

* Substituted by Baron Atkins in rough draft, by direction of the Committee, for "every such person or persons making such discovery shall for every such discovery have for his reward [blank]." Exam. Book Dec. 6 and 7.

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that the informer might have ten times the value of them (Exam. Book 6 Dec.). On the 7th and following days the Committee proceeded to examine lists of Papists in the several counties, which were given to various Lords and others to select those whose names should be inserted in the Bill; and lists of the names selected are given in the Exam. Book, Dec. 7–15, 20 (*see* Annex *c.*). The Bill was never reported, and dropped with the prorogation on 10th Jan.]

Annexed:—

(*a.*) 7 Dec. Draft title of the Bill (as above), and of a clause as follows:—"And be it further enacted by the authority aforesaid, that if any person or persons shall knowingly conceal any of the aforesaid persons, or not discover him or them to the respective Sheriffs of the said counties and places where they shall then be, shall for every such offence suffer imprisonment for the space of six months without bail or mainprize; and in case any Sheriff or Sheriffs shall refuse or neglect to seize and apprehend any of the aforesaid persons when they shall be discovered to them, shall for every such offence forfeit the sum of 100*l.* of lawful money of England to the informer or him that will sue for the same, to be recovered by action of debt, bill, plaint, or information in any of the King's Majesty's courts of record, wherein no essoine, protection, or wager of law shall be admitted or allowed." [In Baron Atkins' hand, and added by Committee this day. Exam. Book.]

(*b.*) Rough draft of the Bill. It corresponds, as corrected, with the fair copy above. The last clause, which is struck out, being superseded evidently by that in Annex (*a.*) is as follows:—"And in case any such Popish recusant shall not declare or manifest unto the said Sheriffs all such armour, gunpowder, or other munition which he or they have or shall have, or shall let, hinder, or disturb the delivery thereof, then every such Popish recusant so offending herein shall incur the pain and danger of a Prœmunire, mentioned in the Statute of Prœmunire made in the sixteenth year of the reign of King Richard the Second."

(*c.*) 4 Dec. Catalogue of Lists of Papists in the several Counties, delivered in to the Committee this day by the Attorney-General and the Clerk of the Crown (*See also* Annexes *d.* and *e.*). Underwritten, but imperfectly erased, are the words "Received this (blank) day of November 1680, of Mr. John Walker, Deputy to John Browne, Esq., Clerk of the Parliaments, by virtue of a warrant of the 4th instant (directed to the said John Browne or his Deputy) from the Rt. Honble. the Earl of Sunderland, one of His Majesty's Principal Secretaries of State, all the abovementioned papers. *Endorsed*, A list of the papers in this bundle. The Lists of Papists, together with, in some instances, lists of those selected for insertion in the Bill, are the following:—

(c^1.) Two lists of Popish Recusants within the County Palatine of Lancaster. [One list contains 68 names, and the other 334. There is no notice in Exam. Book of the names selected for the Bill, but the List was given to Mr. Marsden of Clitheroe on the 10th. Exam. Book.]

(c^2.) List of such Papists as have been returned to the Justices by the Constables of Westminster and St. Martin's-le-Grand, and that have not yet taken the Oaths; St. Martin's-in-the-Fields, 742; St. Margaret's, 169; St. Paul's, Covent Garden, 181; St. Clement Danes, 77; St. Mary, Savoy, 26; St.

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Martin's-le-Grand, 20. [This List, together with the next two, was given to E. Shaftesbury on the 14th (Exam. Book), but there is no notice of the names selected.]

(c^3.) List of Persons indicted of Recusancy, in order to keep them from coming to London or the Liberties thereof or within 10 miles of the said city, according to the Statute 3 Jac. cap. 5, which were taken out of the lists presented to the House of Commons by the Members serving for the several counties and boroughs in England and Wales. Contains 161 names, all of St. Giles-in-the-Fields. *See* preceding paper.

(c^4.) List* of Popish Recusants, or so reputed, within the City of London and Liberty thereof. Contains 206 names. *See* c^3.

(c^5.) List of Papists in the County of Southampton. Contains 588 names. [The List was given to E. Shaftesbury on the 7th, and the names selected for the Bill are marked upon it. They are the following:—

The Lady Phillips, of Winton.
Robert Napper, of Winton, Gent.
Sir Henry Titchburne, of Titchburne, Bart.
Charles Wells, of Brambridge, Esq.
William Lacy, of Kilminston, Gent.
Henry Ferrett, Gent.
George Philpot, Gent.
George Philpot, Junr., Gent.
Edmond Perkins, Gent.
James Yates, of Rumsey Extra, Gent.
Francis Arundell, Esq.
John Peacock, near Petersfield, Gent.
Thomas Plowden, of Lasham, Esq.
John Ayliffe, of Ewhurst, Gent.
Henry Pound, Esq., of Westburrant.

Exam. Book, Dec. 7, 13.]

(c^6.) Same* for County of Durham. Contains 81 names.

(c^7.) Same* for Rutland. Contains 6 names.

(c^8.) Same* for Huntingdonshire. Contains 3 names.

(c^9.) Same* for County and City of Lincoln. Contains 68 names: 39 in Lindsey, 11 in Lincoln city, 16 in Kesteven, and 2 in Holland.

(c^{10}.) Same* for Notts. Contains 29 names: 7 in Nottingham, and 22 in County.

(c^{11}.) Same for Cumberland. Contains 11 names.

(c^{12}.) List of above names selected for the Bill. They are the following:—

Sir Francis Salkeld, of Whitehall, Knt.
Francis Howard, of Corby, Esq.
William Fletcher, of Moresby, Esq.
John Skelton, of Armathwaite, Esq.
George Denton, of Cardew, Esq.
Joseph Porter, of Wearyhull, Esq.
John Porter, of Bolton, Junr.
Henry Curwen, of Camberton.

See also Exam. Book, 20th Dec.

* This and the other lists marked with asterisks, are noted "A true Copy. Thomas Dolman." He was one of the Clerks of the Council.

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(c^{13}.) List* of Papists for Westmoreland. Contains 65 names.
(c^{14}.) Same* for Northumberland. Contains 106 names.
(c^{15}.) Same* for Berwick. Contains 5 names.
(c^{16}.) Same* for Newcastle-upon-Tyne. Contains 82 names.
(c^{17}.) Same* for Essex. Contains 47 names.
(c^{18}.) Same* for Surrey. Contains 26 names.
(c^{19}.) List of above names selected for the Bill. They are the following :—

Henry Duke of Norfolk, his family beyond sea, himself agoing if not gone.
Sir Thomas Bond, of Camberwell, Bart.
Sir John Southcot, of Merstham.
Sir Edward Southcot, of Merstham.
Mr. Rowse, of Ashstead.
Mr. Ayrie, of Ashstead.
John Weston, of Sutton, Esq., beyond the sea.
Mr. Withall, of Guildford.
Mr. Clarke, of Cann, in the parish of Godalming.

The name of Charles Howard, of Dorking, Esquire, was at first included, but afterwards erased. *See also* Exam. Book, Dec. 13.

(c^{20}.) List* of Papists in Southwark. Contains 17 names.
(c^{21}.) Same* for Hertfordshire. Contains 9 names. [Two of these were selected for the Bill, viz., those of Lord Ashton, of Standen (supposed to live in Staffordshire), and Wm. Gawen, of Harpenden, Gent. Exam. Book, Dec. 8.]
(c^{22}.) Same* for Herefordshire. Contains 55 names. [The List was given on 13th to E. Kent, who appears to have annotated it, marking the names, most of which were selected by the Committee on 16th for the Bill, and adding 5 names to the original List. The names selected, with E. Kent's remarks, are the following :—

Charles Morgan, of Kenchurch, (a violent p——).
John Pye, of Throxton, Gent.
Robert Berrington, of Throxton, Gent.
Henry Weston, of Madley, Gent.
Bodenham Gunter, of Madley, Gent.
John Harper, of Madley, Gent.
Edmund Gamond, of Killpecke.
John Bodenham, of Dowchurch Magna.
Charles Somerset, Esq., of Canon Pyon.
Robert Wigmore, of Loxton, Esq.
Thomas Wigmore, of Loxton, Gent.
Thomas Monnington, of Farnesfield, Esq.
John Berrington, of Winsley, Esq.
John Berrington, Junr., of Winsley, Esq.
John Street, of Gatterthorp, Gent., Senr.
John Street, of Gatterthorp, Gent., Junr.
John Berrington, of Great Cowarne, Esq.
Richard Berrington, of the same, Gent.
George Skippe, of the same, Gent.
Richard Unett, of the same, Gent.
John Berrington, Junr., of the same, Gent.
Rowland Scudamore, of Rosse, Gent.
James Ravenhill, of Fownhope, Gent.
Edward Barret, of Woollope, Gent.
John Vaughan, of Ross Forren, Gent.

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John Slaughter, Senr., of Bishop Froome.
Bellingham Slaughter, of the same, Gent.
William Unett, of Bosbury.
James Garnons, of Aymestree, Gent.
Gray Elliott, of Orleton, Gent.
Thomas Goodyere, of Lentall Starkes, Gent.
William Lingen, of Boresford, Gent.
Miles Blount, of Lentall Earles, Gent.
George Scudamore, of Lauroshall, Gent.
Charles Carne, of Weobly, Gent. (a priest).
Milborne Scudamore, of Langaren, Gent.
William Baskerville, of Garway, Gent.
George Loupe, of the same.
William Kemble, of the same (Mort.).
Thomas Williams, of the same.
Cadogan Jones, of the same.
Roger Bodenham, of Rothewas, Esq.
John Bodenham, of the same, Gent.
George Philpot, of Lauroshall, Gent.
Peter Pullen, of the same.
Francis Allen, of Pembridge Castle, Gent.
Richard Kemble, of the same, Gent.
John Kemble, of the same.
William Howard, of Staunton-upon-Arrow, Esq.
William Walmasley, of the Rodd, Gent.
William Bridges, of the Leye, in Weobly Parish, Gent.
James Bridges, of the City of Hereford, Gent.
Henry Wall, of the same.
Richard Ravenhill, of the same.
Bodenham Hawley, of the same, Gent.
John Dracott, late of Rotheres, Gent.
Simon Bridges, of Weobley, Gent.
Edward Willisett, of Eardsly, Gent.
Gregory Pember, of Eardsly, Gent.
George Skipp, of Much Cowarne, Gent.
Anthony Latchett, of Connon Pewen, Gent.
John Bodenham, of Brungwin, Esq.
} (added in the same hand as the notes).

In addition to the above, John Gemond, of Killpecke, Thomas Bodenham, of Rothewas, Gent. (Mort.), and William Hall, of Peter Church, Esq., (taken the Oaths but comes not to Church) are marked on the List, but not selected by the Committee, and Thomas Blount, of Orleton, Esq., is marked "Mort." *See also* Exam. Book, Dec. 13 and 16.]

(c^{23}.) Same* for Northamptonshire. Contains 8 names; that of George Holman, Esq., is marked. [Sir John Holman stated to the Committee that he knew not that his brother George Holman was a Papist; but that he was abroad in Paris and had been so for thirty years. Sir John had often heard him express his hatred to the Jesuits. It was then ordered that Holman should be left out of the Bill. Exam. Book, 10 and 11 Dec.]

(c^{24}.) Same* for Carmarthenshire. Contains 7 names; those of John Beale, of Pentricorn, Gent., and John Howel, of Kandevane, Gent., are marked "conformed." [Lord Herbert had this List, together with those for the rest of

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the Welsh Counties, on the 9th, and on the 16th the Committee decided there were no Papists in this County fit to be named in the Bill. Exam. Book, Dec. 9, 16.

(c^{35}.) Same* for Monmouthshire. Contains 189 names. [The List was given to L. Herbert on the 9th and to E. Shaftesbury on the 14th, and the former appears to have annotated it and marked the names to be selected for the Bill. Those selected on the 16th, together with L. Herbert's notes, are as follows :—

Mr. James Morgan, of Lantarnam (a violent zealot).
Sir John Browne, Bart., of Caerleon (300*l.* per an.).
Capt. John Morgan, of Carlyon (200*l.* per an.).
Mr. Edward Morgan, his son (a violent zealot).
Mr. James Morgan, his son, a reputed priest (a violent zealot).
Mr. Henry Williams, of Uske (100*l.* per an. besides his office under the M. of Worcester).
Mr. Morgan Pritchard, of Carlyon.
Mr. Thomas Gunter, Senr., (100*l.* per an.).
Mr. Thomas Gunter, Junr., (a violent zealot).
Pierce Butler, Esq. (200*l.* per an.).
The Lady Jones of Treowen (300*l.* per an.).
Mr. Henry Jones, her son (150 per an.).
Mrs. Jones, of Lanarth, Widow (300*l.* per an.).
Mr. George Milburne (400*l.* per an.).
Mr. George Morgan, of Treowen (150*l.*).
Mr. Francis Dracott, a suspected priest.
Mr. Richard Vaughan, of Courtfield (600*l.* per an.).
Mr. Francis Hall, of Hadnock (400*l.* per an.).
Col. Turberville Morgan (150*l.* per an.).
Robert Needham, Gent., Senr. } (150*l.* per an.).
Robert Needham, Gent., Junr. }
Capt. Pue, a suspected priest.
Mr. James Pritchard, of the Grange (100*l.* per an.).
Mr. Hugh Powell.
Mr. Benedict Besley (40*l.* per an.).
Walter James, Esq. (100*l.* per an.).
Mr. Thomas Bodnam, of Blackbrook (100*l.* per an.),
Mr. John Christopher.
Mr. William Watkins, of St. Moughans (50*l.* per an.).
Mr. Andrewes (50*l.* per an.).
Mr. Baskerville, of Cummadock.
Mr. Richard Crofts (50*l.* per an.).
Thomas Jones, of Dingestone, Esq. (700*l.* per an.).
Mr. George Watkins, of Lanarth } (100*l.* per an.).
Mr. John Watkins, his son }
Mr. Howell Bevan (50*l.* per an.).
Mr. John Alworth (100*l.* per an.).
Mr. Edward Davies, of Clytha (100*l.* per an.).
Mr. Charles Watkins.
Mr. Peter Roberts (40*l.* per an.).
Mr. John Williams, of the Priory (100. per an.).
Mr. Joseph Prichard, of Skentfreth } (50*l.* per an.).
Mr. William Prichard, of Treivor }
Mr. Walter Powell.
Mr. James Parry (a violent zealot).
Mr. Hugh George (a violent zealot).

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Mr. Andrew Roberts (40*l.* per an.).
Mr. John Brown, of Ragland (a violent zealot).
Mr. Jones, a suspected priest.
Mr. Walter Williams, of Monmouth.
Dr. Thomas Lewis, of Monmouth.
Mr. Richard Cowles (a violent zealot).
Mr. James Scudamore, Mr. John Scudamore } (150*l.*).
Mr. Edmund Shaw (50*l.* per an.).
Mr. John Alworth, Junr. (a violent zealot).
Mrs. Bridget Williams, of Lanfoyst, Mr. Walter Williams, Mr. John Williams, Mr. Nicholas Williams } (100*l.* per an.).
Mr. William Jones, of Hardwyck (100*l.* per an.).
Mr. William James, of Old Castle.
Mr. William Morgan.
Mr. Peter Darcy (a violent zealot).
Mr. John Powell.
Mr. Andrew Roberts, of Lanvapley (40*l.* per an.).
Madam Beckman, of Lantarnam.
Henry Morgan, Esq., of Lantarnam (a violent zealot).

Besides the above, the following are marked or annotated, but not selected by the Committee, viz.:—
Sir Edward Morgan, of Lantarnam, Bart. (Mort.).
Mr. Wm. Jones, of Lanvihanyel (taken the Oaths).
Capt. Evans, a suspected priest (executed for treason).
Mr. Anthony Powell, of Lillouth (taken the Oaths).
Mr. George Scudamore, of Monmouth.
Mr. Walter Powell, of Penrose.

See also Exam. Book, Dec. 9, 14, 16.]

(c^{26}.) Same* for Worcestershire. Contains 65 names. *See also* (c^{51}.)

(c^{27}.) Same* for City of Worcester. Contains 71 names.

(c^{28}.) Same* for Gloucestershire. Contains 20 names.

(c^{29}.) Same* for Somerset. Contains 57 names. [Only John Trevillian, of Timberscombe, Esq., was selected for the Bill. Exam. Book, 10 Dec.]

(c^{30}.) Same for Carnarvonshire (5 names) and Anglesey (2 names). [The following were selected for the Bill on the 10th:—

Carnarvonshire—
Evan Evans, of Penrhos, Gent. (active).
Edmund Williams, of Llanglynin, Gent. (active).

Anglesey—
Owen Owens, of Cremlyn, Gent. (active).

Exam. Book, 10 Dec. *See also* (c^{24}) above.]

(c^{31}.) Same* for Flintshire. Contains 18 names. [The following were selected for the Bill:—
Sir Edward Mostyn, of Talacre, Bart. (hath transported himself and family beyond seas).
Edward Peters, of Weppra, Esq. (absconds himself).
Wm. Fitz-Herbert, of Weppra, Esq. (absconds himself).
Thomas Mostyn, of Stockin, Gent. (an obstinate papist).
George Pennant, of Bagilt, Gent. (an active man and suspected priest).

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In addition to the above, the following are marked on the List, but not selected for the Bill :—
Edward Conway, of Soughton, Gent. (a quiet and aged gentleman).
John Conway, of Soughton, Gent. (deceased).
—— Fowler, of Bettsfield, Esq. (a Staffordshire gentleman).
Georg Davies, of Trerabat, Gent. (hath taken the Oath of Allegiance).
Exam. Book, 10 Dec. *See also* (c^{24}) above.]

(c^{32}.) Same* for Denbighshire. Contains 13 names. [The following were selected for the Bill :—
Henry Parry, Esq. (estate 300*l.*, not active).
John Parry, Gent. (a suspected priest).
Morris Wynne, Gent. (active).
Exam. Book, 10 Dec. *See also* (c^{24}) above.]

(c^{33}.) Same for Montgomery. Contains 10 names. [The following were selected for the Bill :—
Mr. Thomas Price, of Llanvillin (120*l.*).
Mr. Eubul Edwards, of Hendrehen, in Guilsfield (active).
Mr. Ralph Kynaston (active, 120).
Mr. Henry Fox Rhyteskin (estate).
The Earl of Castlemaine is also marked "estate," but is not selected for the Bill. Exam. Book, 10 Dec. *See also* (c^{24}) above.]

(c^{34}.) Same* for Pembrokeshire. Contains 5 names. [Only William Rochford, of Martletwye, Gent. was selected for the Bill. Exam. Book, 10 Dec. See also (c^{24}) above.]

(c^{35}.) Same* for Radnor. Contains 11 names. [The following were selected for the Bill :—
James Baskerville, of Abreddow, Gent. (Estate 200*l.*).
Hugh Lewis, sen., of Lanwenny, Gent. (Estate 200*l.*).
Hugh Lewis, jun., of the same, Gent.
Exam. Book, 10 Dec. *See also* (c^{24}) above.]

(c^{36}.) Same for Brecon. Contains 188 names. [Only Bodenham Gunter, Gent. (estate 300*l.* per an.), was selected for the Bill. Exam. Book, 10 Dec. *See also* (c^{24}) above.]

(c^{37}.) Same* for Glamorganshire. Contains 5 names, [John Turbervill, Esq., of Penlyne (Estate 700*l.*), and Mr. Christopher Turbervill, of Skeir (200*l.*) were selected for the Bill. Exam. Book, 10 Dec. *See also* (c^{24}) above.]

(c^{38}.) Same for Cornwall. Contains 17 names. [The List was given to E. Shaftesbury on the 8th, and the following names are marked and selected for the Bill on the 10th :—
Sir John Arundell, of Lanharne, Knt.
Peter Trevillion, of St. Cleether. Esq.
Edward Trevillion, of Penkenill, Gent.
Edward Arundell, of St. Colomb, Gent.
John Arundell, of St. Colomb, Gent.
John Burlace, of Allen, Gent.

The following also are marked on the List, but were not selected :—
John Hann, of Cardinham, Gent.
James Couch, junr., of St. Sampson's.
Thomas Pearse, of St. Ernan, Gent.
John Heyman of Mowgon, Gent.
John Bishop, of the same.

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Richard Victor, of Little Pedrick.
Exam. Book, 8 and 10 Dec.]

(c^{39}.) Same* for Warwickshire. Contains 67 names. [The following were selected for the Bill :—
Ralph Sheldon, of Weston, Esq.
George Rangleigh, of Fanborow, Esq.
Lord Carington (not in List).
Sir Francis Throckmorton, of Coughton, Bart.
Rowland Dormer, of Grove Park, Esq.
Mr. (John) Fortiscue, of Weethley.
Sir Thomas Preston, of Weston, Bart.
—— Farmer, of Weston, Gent.
Lady Throckmorton, of Radford, widow.
Sir John Gage (supposed to live in Sussex), hath an Estate at Edgebaston.
Exam. Book, 10 Dec.]

(c^{40}.) Same* for Yorkshire, West Riding, and City of York. Contains 56 names: City of York 7, and West Riding, 49. *See* (c^{17}) below.

(c^{41}.) Same* for North Riding. Contains 28 names.

(c^{42}.) Same* for Sussex. Contains 35 names. [This List was given to Lord Grey on the 10th and marked, and on the 14th the following were selected for the Bill :—
Lord Tenham (not in List).
Mr. Francis Browne, of Stedham.
Mr. Henry Arundell, of Slindon.
Mr. Anthony Kemp, of Goodwood.
Mr. John Carrill, junr., of Harting.
The Lady Goring, of Burton.
Sir William Goring, of Burton, Bart.
Mr. Joseph Gage, of Burton.
Mr. Richard Carrill, of West Grinstead.
Mr. Peter Carrill, of West Grinstead.
Mr. Philip Carrill, of Shipley.
Mr. Thomas Gage, of Frandfield.
Mr. Henry Gage, of Frandfield.
Sir John Gage, Bart., of Firlne.
Mr. William Coldham, of Stedham.
Exam. Book, 10 and 14 Dec.]

(c^{43}.) Same for Cheshire. Contains 14 names.

(c^{44}.) List of names from Cheshire, selected on 14th, for the Bill, viz. :—
Sir Rowland Stanley, of Hooton, Bart.
Sir James Poole, of Poole, Bart.
William Massey, of Puddington, Esq.
George Oldfield, Esq.[2]
Mrs. Poole, of Poole
Mrs. Oldfield, of Somerford
} (not in preceding List).

This paper also contains a similar list for the East Riding of Yorkshire, selected on the same day, as follows :—
Sir Wm. Langdale.
Lord Dunbar.
Sir Philip Constable.

(c^{45}.) List* of Papists for Derbyshire. Contains 21 names.

(c^{46}.) Same* for Bucks. Contains 14 names.

(c^{47}.) Account of the proceedings of the Justices of Bucks against the Papists in the above List by virtue of a Com-

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mission. They report that on summoning the said Papists to take the Oaths, the following had complied :—
Sir Thomas Longueville, of Woolverston, Bart.
Mathew Paine, of Eaton, Yeoman.
The following had absented themselves, and were not to be found :—
Sir John Fortescue, of Saldon, Bart.
John Webb, of Peterly, Esq.
Mary Busby, of Hogston, widow.
John House, of Brereton, Gent.
Anne Minshall, of Bourton, in the parish of Bucks. widow.
The following were beyond sea :—
Richard Minshall, of Bourton.
The Lady Burlacy (Borlace) widow of Sir John Borlace.
The following were very aged and unable to travel, but forthcoming :—
John Brinkhurst, of Great Marlow, Esq.
Thomas Farmer, of the same, Gent.
Elizabeth Barnes, of the same, widow.
Sir Francis Throckmorton, of Weston Underwood, Bart., dwells in Warwickshire, and Mrs. Jane Finch, relict of Francis Finch, Esq., deceased, is long since dead. The Commissioners further add the names of six Papists whom they had discovered. Two of these had taken the Oaths, and one, Philip Doughty, of Chesham, Esq., was a prisoner in Newgate. Delivered in by E. Bridgewater, together with next paper, on the 6th.

(c^{48}.) List of Papists in Bucks, enclosed in preceding, containing 20 names, namely those in the first List (c^{46}) as corrected and added to by the Justices, with their notes against each name, and with the addition of that of E. Castlemaine in the Clerk's hand. [The following were selected for the Bill :—
Sir John Fortescue, Bart.
John Webb, of Peterly, Esq.
Exam. Book, 8 Dec.]

(c^{49}.) List* of Papists for Oxfordshire. Contains 26 names.

(c^{50}.) Same* for Berks. Contains 47 names. Sir Charles Yate of Buckland, Bart. and Sir Henry Jerningham, of Fawley, are marked as dead. [The following were selected for the Bill :—
John Dancastle, of Hampstead Norris, Gent.
Francis Perkins, of Ufton, Esq.
Austin Bellson, Esq.
John Turberville, of Cookham, Gent.
George Tetershall, of Finchamstead, Esq.
William Young, of Whitcombe, Gent.
Thomas Woolascoot, of Sutton, Esq.
John Dancastle, of Binfield, Gent.
Anthony Englefield, of Whiteknights, Esq.
—— Yates, of Lyford, Esq.
William Curr, of Lamborne, Gent.
Stoner Crouch, of Wallingford, Gent.
Exam. Book, 7 Dec.]

(c^{51}.) Same for Worcestershire. Contains 29 names, some of which are not in earlier Lists (c^{26}) and (c^{27}). Delivered to

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the clerk by L. Windsor on 6 Dec. [The following were selected from this List for the Bill :—

Mr. Arundell, of Sutton, (eldest) son of L. Arundell, of Wardour.
Mr. Ralph Sheldon, of Beoly (lives in Warwickshire).
Sir Walter Kirkham Blunt (lives in Shropshire).
Mr. Gower, of Comers.
Mr. (Thomas) Habbington, of Henlip.
Mr. Harinold, of Blackmore Park.
Mr. Wollmore, of Kington.
Mr. Bartlett, of Hill-End.
Lady Winter, of Hudington.
Mr. Pay, of Hanley Castle.
Mr. Talbott, of Worvill.
Mr. Marsh, of Worcester.

Exam. Book, 7 Dec.]

(c^{52}.) Same* for Kent. Contains 77 names. Given to E. Winchester on 9th.

(c^{53}.) List of Papists of Kent, probably in E. Winchester's hand, selected from preceding List for the Bill. They are as follows :—

Tho. Whetnall, of East Peckham.
Mrs. —— Guilforde.
Mr. —— Throgmorton.
Tho. Conyers, of St. Martin's.
George Shelden, of St. Mary's.

See also Exam. Book, 13 Dec.

(c^{54}.) List* of Papists in Norfolk. Contains 46 names. Given to Sir John Hobard on 11th. Exam. Book.

(c^{55}.) List of names selected from preceding, probably by Sir John Hobard, for the Bill, as follows :—

Sir Henry Bedingfield, of Beckhall, Bart.
Sir Henry Jerningham, of Cossey (Costesey), Bart.
Sir Henry Bedingfield, of Oxburgh, Knt.
John Bedingfield, of Wickmore (Beckhall), Esq.
Thomas Landon, of Spickworth, Esq. (of Spicksworth. Gent.).
Edward and John Bedingfield, of Astill (Ashill), Esqrs.
Thomas Havers, of Thelviton Hall, Esq.
Christopher Savory, of Appleton, Gent.
Francis Rookwood, of Eggmore, Esq.
Anthony Bedingfield, of Testerton, Gent.
John Tasburgh, of Bodney, Esq.
—— Tasburgh, his eldest son.

See also Exam. Book, 13 Dec.

(c^{56}.) List* of Papists in Norwich. Contains 42 names.

(c^{57}.) Same for West Riding of Yorkshire. Contains 51 names, 18 of which do not appear in earlier list (c^{40}). The names to be selected for the Bill are marked, and notes are appended to some. [The names selected, and the notes, are as follows :—

Charles Fairfax, of Dolebank, near Ripon, Esq. (York.)
Peter Ingleby, of Thornton, Gent.
Sir Francis Hungate, of Hudleston, Bart.
William Hungate, his brother (gone into France).
Sir Walter Vavasor, of Haslewood, Bart.

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John (? William) Stephenson.
Francis Calvert, of Burrow Bridge, Gent., and his son.
John Midleton, of Stockhill, Esq., and Peter his brother (beyond sea).
Charles Ingleby, Councillor-at-law (tried at York for the Plot).
Thomas Tempest, of Broughton, Esq.
Sir Thomas Gascoigne (tried for his life), and Thomas his son and heir.
Thomas Barney, of York, Gent.
Peter Vavasor, Doctor of Physic, in York.
Thomas Witham, of York, Gent.
John Ryder, of Skarooffe, Gent.
Exam. Book, 13 Dec.]

(c^{58}.) Same* for Dorset. Contains 61 names. [The List was given to E. Shaftesbury on the 7th and to Sir John Morton on the 17th. The names to be selected for the Bill are marked upon it, and three are added to the original List. Those selected are as follows:—
Sir John Webb, of Canford Magna, Knt.
Mr. —— Webb, his eldest son.
Mr. —— Ireland, his son-in-law.
Mr. Cary (Carew), of Hamworth, Esq.
Richard Frampton, of Morton, Gent.
George Arundell, of Netherbury, Esq.
Robert Constable, of Chevier (Chideock), Gent.
Mr. Francis Constable, his son.
Arundel Napper, of Burton, Gent.
George Penny, of Toller Willem [Welme], Esq.
George Penny, his son.
George Penny, his grandson.
Giles Penny, of the same place, Gent.
George Hussey, of Marnhull, Esq., and his wife.
Charles White, of Fittleford, Esq.
Exam. Book, 9 Dec.]

(c^{59}.) Same for Salop. Contains 93 names.

(c^{60}.) List of those selected from preceding for the Bill. They are as follows:—
Thomas Talbot, of Longford, Esq.
Sir Walter Blunt, of Mortimers Cleobury (sometimes living in Worcestershire).
Edward Hunt, of Moreton, Gent.
Edward Harnadge, of Norbury, Esq.*
William Pickering, of Stanton Lacy, Gent.
Edward Revell, of Shiffnal, Gent.
William Revell, Gent.
—— Cleeton, of Lee Hall, Gent.
—— Fox, of Hurst, Gent.
Exam. Book, 8 Dec.]

(c^{61}.) List of Papists for Suffolk. Contains 124 names.

(c^{62}.) Same* for Staffordshire. Contains 66 names.

(c^{63}.) Another List, containing same names as preceding, with the addition of that of V. Stafford, of Stafford Castle. [This List has marks against the names to be selected for the Bill.

* Struck through, and noted in margin "Left out 13 Dec. at the Prince's motion."

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Those selected are the following:—
Walter, Lord Aston, of Tixall.
Sir Richard Fleetwood, of Calwich, Bart.
Walter Hevingham (Heveningham), of Ashton.
Sir James Symons, of Ashton, Bart.
Walter Fowler, of St. Thomas, Esq.
Philip Draicot, of Painley, Esq.
Robert Howard, of Hore Crisse, Esq.
Walter Gifford, of Chillington, Esq.
Thomas Gifford, of Cock Street, Wolverhampton, Gent. (a priest).
Herbert Ashton, of Coulton, Esq.
Walter Grosvenor, of Wolverhampton, Esq.
Richard Gerrard, of Hilderston, Esq.
Basil Fitzherbert, of Swinerton, Esq.
Alexander Harcourt, of Routon, Esq.
Thomas Brooks, of Comberford, Gent.
John Stanford, of Wolverhampton, Gent.
Thomas Winford, of the same, Gent.

The name of John Potts, of Ashmores Park, Gent., also is marked, but not selected. Exam. Book, 11 Dec.]

(c^{64}.) Same* for Bedfordshire. Contains 13 names. [The following were selected for the Bill:—
Roger Hunt, of Roxton, Gent.
Thomas Brand, of Turvey.
John Petre, Esq. (brother to the Lord Petre, supposed to live in Essex).
(Tobias) Edmonds, Gent. (non-resident).
Francis Renholes, of Carleton, Gent.
Exam. Book, 8 Dec.]

(c^{65}.) Same* for Leicestershire. Contains 13 names. [The following were selected for the Bill:—
Thomas Eyre, of Eastwell, Esq.
Charles Fortescue, of Husband's Bosworth, Esq.
Charles Byerly, of Belgrave, Esq.
John Turvill, of Aston Flamvell, Gent.
Charles Byerly, junr., of Belgrave, Gent.
Exam. Book, 11 Dec.]

(c^{66}.) Same* for Wilts. Contains 29 names. [The List was given to E. Shaftesbury on 7th, and the names to be selected are marked on it. Those selected are the following:—
Mark Arundell, of Hornisham, Esq.
Charles Cottington, Esq.
George Knipe, of Semley, Gent.
Richard Frampton, of Bitstone, Gent. (struck through).
—— Weld, of Compton Basset, Esq.
—— Perkins, of Cheesegrove, Esq.
Thomas Arundell, eldest son of L. Arundell of Wardour (not in List).
Exam. Book, Dec. 7, 11.]

[In addition to the above Lists, there was one for Devonshire, which appears to have been given to E. Shaftesbury on the 8th, and to Sir Walter Young on the 16th, but which is not forthcoming. The following were selected for the Bill, for Devonshire:—
John Southcot, of Buckland, Esq.
Lady Carey, of Torabey, widow.

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Edward Carey, senr., of the same place, Gent.
Edward Carey, junr., of the same place, Esq.
John Rowe, of Kingston, Esq.
Sir Walter Kirkham Blunt, Bart.
John Chichester, of Armington, Esq.
Edward Kirkham, of Cherston Ferrers, Gent.
Peter Tattershell, of Paington, Gent.
James Pollexfen, of Morley, Gent.
John Berry, of Berry Norbower, Esq.
Edmond Parker, of Pinhow, Gent.

Exam Book, Dec. 8, 10. Some of the above lists, viz.: (c^{38}), (c^{43}), (c^{54}), (c^{63}), are confined to Papists of note or considerable estate in the county, and others, viz. (c^{3}), (c^{17}), c^{33}), (c^{34}), (c^{60}), (c^{65}), without being so entitled, give no names below the rank of Gentlemen. The remainder include all classes. These lists formed the materials before the Committee for Examinations, from which they selected the names of Papists to be inserted in the Bill.]

(*d.*) 4 Dec. Paper entitled "A list of Papists, or so reputed in the several counties hereunder mentioned. Delivered to the Earl of Essex, one of the members of the Committee for Examinations about the Plot, by Mr. Attorney-General, Dec. 4, 1860." The paper merely gives the names of several counties, viz., Bedford, Berks, Bucks, Essex, Hertford, Kent, Middlesex, Northampton, Stafford, Surrey, Warwick, Wilts, and the County and City of York. Exam. Book, 4 Dec.

(*e.*) Paper containing the names of several counties. *Noted* "A general list of Papists indicted, taken out of the lists presented to the House of Commons." *Endorsed*, delivered in by Mr. Burke. Exam. Book, 4 Dec.

322. Dec. 6. Strickland v. Coker.—Petition and appeal of John Stickland [Strickland] and Thos. Greene and Mary his wife. Complain of a decree in Chancery, ordering Petitioners to pay to Respondent, as manager of their estate of Higher Holcomb, a sum found due on an account taken by the Master. Prays that the account may be rectified, and Respondent ordered to answer. [Brought in this day. (MS. Min.) Read 10 Dec. L. J., XIII. 711.]

Annexed:—

(*a.*) 8 Dec. Paper stating that the Appellants are 100 miles out of town and have deputed Edward Penny of West Coker, Somersetshire, to enter into recognizance for them, and praying the directions of the House. L. J., XIII. 708.

(*b.*) 21 Dec. 1680. Petition of Respondent for further time to answer, his Solicitor being dead, and himself infirm. L. J., XIII. 725.

(*c.*) 22 March 1680–1. Petition of Appellants for a peremptory day for Respondent to answer, and for stay of proceedings below. Respondent's Country Solicitor only is dead, and he has been twice summoned to answer. L. J., XIII. 748.

(*d.*) 25 March 1680—1. Draft order on preceding. L. J., XIII. 748. *In extenso.*

(*e.*) 26 May, 1685. Petition of Appellants that the Appeal may be revived, Respondents ordered premptorily to answer, and proceedings below stayed. L. J., XIV. 18.

(*f.*) 2 June 1685. Motion paper containing copy order on preceding (L. J., XIV. 18. *In extenso*), and a motion on behalf of Res-

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pondent, who is 70 years of age, and infirm, praying for further time to answer. L. J., XIV. 27.

(*g.*) 10 June 1685. Order of House for production of documents. L. J., XIV. 36. *In extenso.*

(*h.*) 13 June 1685. Answer of Robert Coker, Esq. Respondent was guardian for the Appellant John Stickland, and had been surety in bonds for his brother, since deceased, who left his estate to John, subject to this and other charges. The sum found due on the account was for moneys actually paid, over and above all his receipts from the estate. Prays that the Appeal may be dismissed. [Brought in this day MS. Min.]

(*i.*) 9 Nov. 1685. Petition of Appellants for an early day for hearing. L. J., XIV. 75.

(*k.*) 30 Dec. 1691. Petition of Respondent stating that the Appeal which has depended above 20 years in Chancery, and more than 10 years in their Lordship's house, has been revived by one Swayne, a lawyer, who has purchased the cause, and seeks to take Petitioner, whose attorney and counsel are dead, by surprise. Prays that the hearing may be postponed, Petitioner being unable to travel, as stated in the affidavit. L. J., XV. 8.

(*l.*) Affidavit of Respondent to above effect and appended to preceding affidavit. *Dated* 16 Dec. 1691.

323. Dec. 7. Popish Plot (Guiseppe Litta).—Letter from the Lord Mayor of London to the Earl of Sunderland. States that the Informant, whose information he transmits by Sir Robert Clayton, left the Romish Communion and was brought into the Inquisition, but, being released, brings with him testimonials from the Churches of Switzerland and France to the French Church in London, into whose communion he is received. That he seems to be a man of quality and good education, and is desirous to be preserved from the danger of those persons that he apprehended may have enmity against him. *Signed* P. Ward, Mayor.

Annexed:—

(*a.*) 6. Dec. Information of Don Guiseppe Litta, in Italian, sworn before Sir Patience Ward, the Lord Mayor, this day, and before the Committee of Foreign Intelligence on the 9th. Being in Rome in 1671, on business of his relative, Cardinal Litta, Informant was much at the Court of Don Mario Platti, a Prince of Lombardy, and was enabled to give information as to a conspiracy, in which that Prince was involved, to drive the Marquis de los Veles, the Spanish Viceroy, out of Naples, and set the Duke of Orleans on the throne; for which information he was rewarded with several sums of money and the Duchy of Montenegro. While lodging with Cardinal Nittard in Rome, the latter told him that the Roman religion and the Inquisition would before long be established better than ever in England, with the same severities as in Spain, and the heretics extirpated, and the Papists were now upon giving a great blow by the help of God. Father Herman Michael Bustos, a confidant of the Cardinal, whom he trusted about the murdering of Don John of Austria, told Informant that many Catholic noblemen, both English and strangers, were on the side of the Papists, and that the Duke of York was their only hope, while the King, as an enemy of the Church, might lawfully be killed. On Informant saying it was not so easy to kill a king, Bustos replied that Madame Mazarin had given Cardinal Nittard great hopes. Father Oliva afterwards said that the Count de Castell Migliore

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would accomplish it, seeing that Madame Mazarin is more disposed to divert herself than to undertake the like affair. Later Cardinal Nittard told him that the Marquis de Burgomainero was treating of a marriage between the Duke of York's eldest daughter and the King of Spain, offering the Duke the government of Flanders, with 40,000 men. He added that the Duke would be King of England very soon, and the present King should die as he deserved. as the Church allowed such persons to be killed. In August 1677 Father Bustos told Informant that the Cardinal had received letters from England, and that he had said to him that the Duke was a cowardly Prince, who would not be concerned in killing the King, but that Burgomainero had brought a relation of his to London, who had served in Flanders with great courage, and another German, who were to kill the King at an appointed hour; and the Cardinal, as Inquisitor General of Spain, would send 100 Hangmen and 100 Kettles to burn all the Bishops and Ministers and those speaking against the Roman Church. On the Duke's death the Crown was to devolve on the King of Spain, and Holland and France were to be attacked; so that there should be but one Monarchy and one religion. Father Bustos afterwards told him that the Pope was privy to the designs of the Jesuits in this matter, and that Burgomainero was well qualified to conduct the intrigues, and that it was he who had had Madame Colonna brought into Spain. Informant also learnt that Father Oliva had received letters from Castell Migliore, detailing the plans for the murder of the King, the coronation of the Duke, and the insurrection.

(*b.*) Translation of preceding.

(*c.*) 9 Dec. Paper in Italian ritten by Litta to the Lord Mayor, and sent on to E. Sunderland this day, describing Litta's examination and imprisonment by the Inquisition at Naples, which led to his embracing the Protestant religion at Berne, and taking refuge in England.

(*d.*) Translation of preceding.

(*e.*) 9 Dec. Description, in Italian, of some of the persons mentioned in Litta's Information, as given by him to the King this day. The Marquis de los Veles is of a low statute, big and about 50 years old, having black hair. Cardinal Nittard is little, slender, has blue eyes, and is about 60 years old. Father Bustos is taller than he, as also Father Oliva.

(*f.*) Translation of preceding.

324. Dec. 7. Popish Recusants (Walton).—Examination of Hugh Walton, of Camden, in the County of Gloucester, tailor, taken before Henry Hawley, Esq., Justice of the peace for the said county. States that Examinant, being brought before Mr. Hawley, on suspicion that he was a Popish recusant, said that he had come to town, having been employed to drive cattle thither from Oxfordshire, and that on his return, being questioned by the officers at Brainford, he owned he was a Papist, and added that he was under pay with the Lord Bellasis since last Easter at 4*s.* 6*d.* a week, but now upon his examination denies the same. Sworn this day. Endorsed as received 8 Dec. [Delivered to the Committee on 16th by the Attorney-General. On 17th Capt. Richardson stated to the Committee for Examinations that Walton had told him he had been enlisted at Shrewsbury under L. Bellasis in Capt. Meuse's company, and had formerly been a groom at Somerset House.

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On 18th Walton, being brought in by Capt. Richardson, said he was listed under Capt. Meuse two or three years ago in Oxfordshire, but never received any money. Webb, who lived at Burford, was Sergeant. Had never seen his Captain. When he was listed he demanded *5l.* advance, else he would not go, whereupon the Sergeant cut him on the head. Is a Papist, and lived 13 or 14 years since with Sir Thos. Holman at Somerset House, as groom. Had never seen his Colonel. Lied when he said he received *4s. 6d.* a week. Drums were beat up everywhere in the country when he was listed. Walton was then remitted to Newgate, and E. Craven undertook to inquire of Col. Bellasis whether he had any such Captain as Capt. Meuse in Flanders, and whether he had listed any men here. (Exam. Book.)]

Annexed:—

(*a.*) 7 Dec. Information of Phillip Brice, of Old Brainford, tobacco-pipe maker. States that one Hugh Walton, coming to informant's house to light a pipe of tobacco, told informant, in answer to a question what he did for a livelihood, that he was listed since last Easter under Lord Bellasis in Capt. Meuse's Company, and had *4s. 6d.* a week paid him at the Tower by the Muster-Master, and being further questioned, said there were 30,000 or 40,000 men ready at an hour's warning, and that he expected to fall on between this and spring, and expected also every hour to be called on. Sworn before H. Hawley this day.—Underneath follows the information of William Row, near the Red Sow, in Soho, St. Martin's-in-fields, Metal-man, stating that he was present when Walton said the above words, and heard them said. Sworn before H. Hawley this day. Endorsed as received 8 Dec. [Delivered to the Committee on the 16th by the Attorney-General. Exam. Book.]

325. Dec. 8. Popish Plot (Papists escaped, &c.).—List of Papists fled from justice, and of priests concerned in the Plot, and not yet taken, viz. :—

Papists fled from justice.

Thos. Gascoigne of Barnbow Hall, Esq.
John Middleton of Stockhill Hall, Esq.
Sir Marmaduke Constable of Everingham, Bart.
Sir Francis Hungate, of Hudleston, Bart.
Richard Sherbourne of Stonyhurst, Junr.
Stephen Tempest, Richard Yorke } both of Broughton, Gent.
Francis Calvert and his wife.

Priests concerned in the Plot not yet taken.

Yorkshire and Northumberland.
- William Rushton. Collector for Skyrack Hundred.
- Dr. Stapleton.
- Will. Hardick.
- Thomas Addinson.
- Rob. Killingbeck.

Lancashire and Derbyshire priests.
- Richard Moorus, Superior for Lancashire.
- John Hellden, John Mollyns } Treasurers.
- Peter Giffard, Secretary.

Roger Anderton for the six Hundreds in Derbyshire, Collector.
Rich. Barton for Lelandensy Hundred, Collector.

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Thos. Hugonis for Amundernensy Hundred, Collector.
Edward Blackburn for Lancidalensy Hundred, Collector.
Peter Gooden, Edward Cottam } for Blackburnensy, Collector.

Jacob Mackland.	Will. Gerrard.
Rich. Sallins.	Thurstan Arderton.
Marmaduke Dalton.	Edward Arderton.
Henry Holden.	Edward Mollyneux.
George Catterell.	Thos. Eccleston.
P. Winder.	John Urmeston.
George Rich., ai. d. S. onus. (*sic.*)	Thos. Hugonis.
	George Browne.

Priests untaken.

Winter.		Fincham.
Gerrald of Gerrard.		Rob. Dolman.
Jennings.		Mr. Ellis.
John Sturdy.		Thos. Thwing of Quesque.
Francis Browne, Nicholas Browne *alias* Gascoigne	Benedictine monks.	Farneby.
		Lodge.
		Francis Blaxton.
		Metham.

Signed by Robert Bolron, who, as appears from the endorsement, delivered in the paper this day.

326. Dec. 8. Gawden v. Rogers.—Petition of Thomas Rogers for leave to take out execution on his judgment in the Court below, the Writ of Error notwithstanding. L. J., XIII. 708. *See also* No. **357.**
Annexed:—

(*a.*) 20 Dec. Duplicate of preceding, adding that petitioner has caused the Order (annexed) of 8 Dec. to be served on the Defendants, as by the affidavit (annexed) appears. [A Petition read of Thos. Rogers for the return of a Writ of Error. Ordered, that it be peremptorily brought in on the second day of the sitting after Christmas, or that judgment be affirmed. MS. Min. 20 Dec.]

(*b.*) 8 Dec. Order referred to in preceding petition. L. J., XIII. 708. *In extenso.*

(*c.*) 20 Dec. Affidavit of Jared Hancock, of Whitefriars, London, Gent. referred to in (*a.*) above.

(*d.*) 4 Jan. 1680–1. Petition of Thomas Rogers that the Plaintiffs may be ordered to assign error. within a short time, or that the record may be remitted with costs. L. J., XIII. 733.

327. Dec. 8. Collop v. Jefferyes.—Petition of William Collop, prisoner in the Fleet. Petitioner, holding an unexpired lease of a third of the lands of North and South Gosfords, in Northumberland, brought an action of ejectment in 1672, through his lessee Thos. Sedgwick, against John Jefferies, John Steventon, James Metham and Thos. Gofton, who, by combination with the tenant, had obtained possession of the lands. Petitioner obtained a judgment against the Defendants, which, on appeal to the House of Lords, was affirmed in 1675, as appears by an Order annexed (Annex *a*). The Court of Chancery, however, granted an injunction, which Petitioner failed to have set aside, notwithstanding motions by Counsel and a Petition (Annex *b*) with Affidavit (Annex *c*) offered to the Lord Chancellor. Petitioner then brought a Bill in Chancery for relief, which was dismissed with

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costs, Petitioner's exceptions to the report of the Master, Sir W. Beversham, being overruled. Petitioner was then, in 1678, committed to the Fleet for non-payment of the costs (Annex *e*), and in 1679 Defendants obtained an Order of Sequestration against him. Prays that he may have the benefit of their Lordships' former judgment on the Writ of Error, that Defendants be ordered to answer, and that he may be allowed a weekly sum out of his estate to keep him from starving. L. J., XIII. 708. [The endorsement (on annex *d*), bearing date this day, is noted: The Petition of Wm. Collop, presented to the House the 25 November last, now signed by two counsel, humbly prays to proceed in course.]

Annexed:—

(*a.*) 3 May 1675. Copy judgment of the House in the cause of "Gofton v. Sedgwick." L. J., XII. 675. *In extenso. See* Calendar, Ninth Report, No. **146.** [Appended to preceding.]

(*b.*) Printed Petition of William Collop to the Lord Chancellor, praying that the injunction in Chancery may be set aside, and Petitioner allowed to take out execution. *Noted:* This petition was delivered to the Lord Chancellor by Collop's own hands, but could have no answer or order upon it. [Appended to Petition above.]

(*c.*) 26 Jan. 1675–6. Printed Affidavit of same, sworn this day before Sir W. Beversham. *Noted:* The Petitioner's Counsel moved twice the Lord Chancellor, upon this Affidavit, to put aside the Injunction, but could not prevail. [Appended to first Petition above.]

(*d.*) 4 July 1677. Order in Chancery referring to Sir William Lacon Child, Master of the Court, to certify whether the plaintiff, W. Collop, has committed the contempt alleged against him, by non-payment of the costs. [Appended to first Petition above.]

(*e.*) 16 Oct. 1677. Similar Order, committing Petitioner to the Fleet for the contempt laid to his charge. [Appended to first Petition above.]

(*f.*) 16 Dec. 1680. Petition of John Jeffreys, Esq., and John Steventon, of London, Citizen and Grocer, praying for further time to answer, the other Respondents being at Newcastle. L. J., XIII. 717.

(*g.*) 3 Jan. 1680–1. Answer of John Jeffries, John Steventon, James Metham, and Thos. Gofton.—Appellant's petition is in the nature of an original complaint, and his proper relief lies in Chancery. The lands in question were demised in 1653 by Edward Maplesden and his wife, and John Bayly, to William Wallis, subject to a rentcharge of 100*l.* a year, granted originally by the owner of the inheritance to Henry Hilton, Esq., and his heirs, and have since been conveyed to the Respondent Jeffries. Wallis assigned in 1655 a third part to Collop for the remainder of his lease of 31 years, and another third to Richard Peppis, in trust for the Respondent Steventon, and the remaining third to Thos. Dent, since deceased, whose sole surviving executor is the Respondent James Metham. The Appellant, with the other tenants in common, then demised the manor of South Gosforth to one John Preston, for a rent of 180*l.*, and after his death to Thos. Gofton, who married Preston's widow, and the manor of North Gosforth to one Wm. Gallen and Wm. Robinson for a rent of 200*l.*, and employed Wallis to receive the rents etc., and discharge the rentcharge and rent to which the property was

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liable, and divide the residue among the tenants in common. The Appellant about 1668, becoming dissatisfied, tried to evade paying his share of the encumbrances, and demised his third of North Gosforth to Robert Gallen for 9 or 11 years, who committed such waste that Appellant's co-tenants were largely damnified, and the rentcharge due on the property to Jeffries fell into arrear, and distress was made to recover it. The Appellant then brought a bill in Chancery in 1672 complaining of disturbance, and an account was taken as between the tenants-in-common. The matter by consent was left for arbitration to the Appellant's own Counsel, Sir John Churchill, by whose proposals, however, the Appellant declined to abide. Appellant has never yet paid the sum found due from him, by the Master's report, to the other tenants-in-common, and his suit of ejectment in the name of his lessee Sedgwick was brought merely for vexation. Respondents have always been willing that Appellant should have his just share of the manors. Pray. that the Appeal may be dismissed with costs. *Endorsed* as brought in this day.

(*h.*) 8 Jan. 1680–1. Petition of Appellant for a day for hearing, and that Respondents may be ordered to enter into recognizance to stand to such judgment as the House shall give. L. J., XIII. 741.

(*i.*) 8 Jan. 1680–1. Order of the House on preceding petition. L. J., XIII. 741. *In extenso.* [Appended to next paper.]

(*k.*) 25 March 1680–1. Petition of Appellant for an early day for hearing, and for liberty by *Habeas Corpus* to attend his appeal. L. J., XIII. 754.

(*l.*) 25 March 1680–1. Draft order on preceding petition. L. J., XIII. 754. *In extenso.*

(*m.*) 30 May 1685. Petition of Appellant for an early day for hearing, he being at large on a *Habeas Corpus.* L. J., XIV. 23. [Read 1 June; "it may be called when E. Anglesey is present." MS. Min. 1 June.]

(*n.*) 2 June 1685. Petition of Appellant that his appeal may be revived, and a day appointed for hearing. Petitioner had attempted to sue the recognizance, but Respondents' Solicitor threatened to lay Appellants by the heels. L. J., XIV. 27.

(*o.*) Copy of (*l.*) above, appended to preceding.

(*p.*) 16 June 1685. Answer of J. Jeffreys, J. Steventon, and T. Gofton to Appellant's petition to revive the appeal. Repeats the statements contained in the former answer, and prays that the appeal may be dismissed with costs. L. J., XIV. 45. [Brought in this day. MS. Min.]

(*q.*) 22 June 1685. Replication of Appellant to preceding. Denies that his share in the estate was liable to the charges pretended, or that Jeffreys had purchased the rentcharge. Respondents have combined to oust him of his proper share of profits, and have received far more than was ever due to them. Appellant has no knowledge whether the Respondent Metham, since deceased, died intestate, or who is his executor or administrator, and hopes, therefore, that his death will not annul the appeal.

(*r.*) 12 Nov. 1685. Petition of Appellant. He has served a copy of their Lordships' order of 2 June last on W. Bigg and J. Hinmarsh, administrators of the late Respondent James Metham, deceased, as appears by the affidavit annexed. Prays for a short

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day for arguing the question of revivor, and that the said administrators and their wives may be made parties to the appeal. L. J., XIV. 79.

(*s.*) Affidavit of W. Townes referred to in preceding petition, and appended thereto. *Dated* 9 June 1685.

(*t.*) Order on Petition of 2 June (*n.*) above, appended to preceding Petition. L. J., XIV. 27. *In extenso.*

328. Dec. 9. J. Relfe. — Petition of John Relfe to the Committee for Examinations. Petitioner has constantly attended their Honours as Clerk, both in this and the two last Parliaments, and has issued all orders, and made copies of all depositions, etc., gratis (according to their Lordships' order), for all persons who have desired copies of their informations, and having no salary, but having lately received, by their Lordships' order, 100*l.* to be disposed of for rewards and encouragements to such persons as their Lordships shall think fit, prays for a reasonable reward out of such moneys. [The Exam. Book contains an order of this day, signed *Essex*, authorising Relfe to have 30*l.* out of the moneys in his hands. See also No. **202.**]

329. Dec. 9. Bp. Winchester's Privilege.—Statement that John Mills of Runwicke, Farnham, Surrey, had delivered a Warrant to John Lee, Bailiff, for the arrest of John Soane, Under Woodward of Bp. of Winton of his Manor of Farnham, and Wm Broadbridge, at the suit of John Messingham of Witley, for having fetched some timber off the copyhold of the latter, which he had felled without license, the penalty of this act being the forfeiture of the copyhold. The warrant had been executed before the Return thereof had expired. L. J., XIII. 709.

330. Dec. 9. Russell v. Cage.—Petition and appeal of Robert Russell, Esq., and Bridget his wife, Executors of the last Will and Testament of Cicely Cage, deceased, the late wife of Thomas Cage, Esq. Cicely, then a widow and intending to marry Thomas Cage, conveyed in 1661 the manor of Freckenham, in Suffolk, to Petitioners, in trust to pay, among other legacies, 500*l.* to Sackford Cage, her son, on his coming of age, and 30*l.* a year meanwhile for his maintenance. By a later codicil she willed that, if her husband should refuse to release to her Executors all her goods and chattels, her son should only have 5*l.*, and she revoked the other legacy given him and devised the same to her executors. After her death, her husband refused to execute the release, notwithstanding which her son sued Respondents for his maintenance and legacy, and obtained a decree in Chancery in his favour. Appeals from this decree, and prays that proceedings may be stayed. L. J., XIII. 710. [Received 6 Dec. Another petition of Appellant was read on 25 March 1680–1, and "taken back." MS. Min. of dates.]

Annexed:—

(*a.*) 3 Jan. 1680–1. Answer of Sackford Cage. Prays that the decree, which was just, may be affirmed, and the Appeal dismissed.

331. Dec. 9. Utting v. Copleston.—Tenor of Judgment given this day. L. J. XIII. 710. [For Minutes of Hearing *see* M.S. Min. of date.] *See also* No. **265.**

332. Dec. 9. Scofield v. Radcliffe.—Petition and Appeal of James Scofield, Esq., and Alice his wife, Dorothy Radcliffe and Judith Radcliffe, three of the surviving daughters of Savile Radcliffe, late of Mearley, in the County of Lancaster, deceased. Savile Radcliffe, Petitioner's father, made a settlement of his estate in 1649 for 41 years, providing that Petitioners and three other daughters now deceased,

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named Anne Winckly, Susan Butterworth, and Margaret West, were to receive the whole rents of his estate after his death for eight years and until the death of his widow Katherine, paying 400*l.* to such person as should by his will be appointed to receive it; and thereafter they were to receive 66*l.* 13*s.* 4*d.* yearly out of the rents until they had received 2,600*l.* Before the settlement was made, Joshua, Savile's eldest son, had married against his father's will, and had no portion, his father being displeased with him, and the father's estate having been purchased in great measure with his second wife's money. After Joshua's death his second son Joshua sued his aunts in the Duchy Chamber for an account of the rents and profits of the estate since his grandfather's death, and obtained a Decree against them for the estate, and an account at the rate of 250*l.* a year, which Decree was affirmed on Review. This Joshua also has since died, and the estate has descended in part to Savile Radcliffe, Petitioners' brother, who has conveyed his portion to Radcliffe Scofield, and in part to Joshua's daughter Elizabeth. Prays that the Decree may be reversed, and that Savile Radcliffe, Elizabeth Radcliffe, and Radcliffe Scofield may be ordered to answer. [Read this day (L. J., XIII. 709). *Endorsed* 29 Nov., on which day it was brought in (MS. Min.).]

Annexed:—

(*a.*) 7 Jan. 1680–1. Joint and Several Answers of Savile Radcliffe, Esq., and Radcliffe Scholefield, Gent. Joshua duly obtained possession, after satisfying the balance of the portions charged by the late Savile on his estate for the benefit of his daughters the Appellants, who accepted and gave receipts for the same. The Respondent Savile is entitled under the deed of settlement to all his father's lands, as heir male since the death of Joshua without male issue; and the lands held by Joshua's daughter Elizabeth Radcliffe are unjustly detained from him. The Respondent Scholefield claims no part of Savile's estate, having no conveyance but to the use of Savile and his heirs, in order to the passing of a common recovery, and ought not to be molested by such an unkind suit, two of the Appellants in which are Respondent's father and mother, who have never done anything for him in return for many services he has done them. Pray that the Appeal may be dismissed with costs.

(*b.*) 7 Jan. 1680–1. Answer of Elizabeth Radcliffe, an Infant, by Richard Bradshaw, Esq., her Grandfather and Guardian. It was contrary to the intention of the deed of settlement that the Appellants and other the daughters of Savile, the granter, should receive all the profits of his estate until full payment of their portions, amounting to 2,600*l.* Joshua was entitled to the estate as Savile's grandson and heir-at-law, and having come into possession, after paying into court the balance of Appellants' portions found due on the account, he docked the entail made by his grandfather, and bought himself an estate in fee simple, and then settled all his lands anew on his daughter, the Respondent. The Appeal is frivolous, and should be dismissed with costs.

(*c.*) 26 May 1685. Petition of Appellants for an early day for hearing. L. J., XIV. 18.

(*d.*) 16 June 1685. Answer of Elizabeth Radcliffe, an Infant, by Richard Bradshaw, Esq., her Guardian. Respondent, who has already put in her answer to the Appeal, will be ready for the hearing on such day as the House shall appoint.

(*e.*) 17 June 1685. Further Answers of Savile Radcliffe and Radcliffe Scholefield, to same effect as preceding.

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333. Dec. 10. Oort v. Pensaz.—Writ of Error, &c. brought in this day L. J., XIII. 711. *Parchment Collection. See also* No. **313.**

334. Dec. 10. Popish Plot (Simson Tonge).—Simson Tonge's Case,* being a true account of the affidavit which he gave upon oath before Mr. Justice Bridgeman relating to Capt. Ely, &c., who would have induced him to swear that his father and Dr. Oates were the contrivers of the Popish Plot, with several other material passages therein omitted, with reflections upon L'Estrange's lying Dialogue betwixt Zekiel and Ephraim; published for the satisfaction of all good Protestants. L'Estrange's case, called a Civil Dialogue betwixt Zekiel and Ephraim, coming into his hands, he determines to vindicate himself by giving a true account of all the transactions which have passed between Capt. Ely and Monsieur Choqueux, lest people may pin their faith on the credibility of L'Estrange's writings, who, although he may pass for a man of wit, and has slipt his neck out of the collar, cannot much brag of his honesty or loyalty, and now having done what mischief he could by several scandalous pamphlets, and picking what holes he could in the King's evidence, has fled, fearing to be severely handled by the hands of justice. States that in June or July last, Mrs. Lane told him that if he would draw up some writings against the Plot, he might make his fortune, and that a Capt. Ely would introduce him to speech of the King, and would procure his father's pardon, for she verily believed he was merely drawn in by Dr. Oates. That on his replying that he knew nothing of the Plot, Mrs. Lane told him that having written so many things for his father, he could not be so stupid, but he could "raise some objections of those papers." That some time after this interview he met Capt. Ely at Mrs. Lane's by appointment, and he told him that if he would be advised by him, he could quickly better his condition. "Mr. Tonge" he said "you are an ingenious young man, and I am persuaded you know a good deal of this Plot, as to the truth of it. As for my own particular part, at first I did believe this Plot, but when I did seriously consider what the persons were who pretended to discover it, I was then of another mind, and now am so far from being of that opinion, that I do no more believe the Plot than I believe there are a thousand people now in the room." Capt. Ely then said that if Tonge brought forward anything, it must be some matter of fact; something of falsehood and contrivance between his father and Oates must be shown to overthrow the evidence. That he drew up a paper accordingly, but being much troubled, showed it first to a certain tallow-chandler, who advised him to burn it, as a dangerous paper, and to avoid who ever had counselled him to write it, both of which he did. That Mrs. Lane, however, on being told by him that he did not care to concern himself with Capt. Ely, bade him take courage, if he wished to make his fortune, and made him promise to write the paper again, and meet her. That at Mrs. Lane's house that evening he showed the newly written paper to Ely, who said it would do very well, and made him sign it, and it was signed also by old Lane, and his wife and daughter, and by Ely, who took it away, saying he must show it to the King, then at Windsor. That about the end of July, Ely took him to Windsor to speak with the King, and on the way told him to say something that might give the King satisfaction; for his Majesty believed he knew a great deal concerning the Plot, and so he promised that he would. That at Windsor Mr. Chiffins introduced him to the King, who asked him several ques-

* L'Estrange published his reply to this Case in a pamphlet entitled "The Shammer Shammed;" 1681.

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tions, not convenient to be related, and Ely, after staying behind a while to have, so he said, some discourse with his Majesty about some forest business, rejoined him, and they went together to the Garter Tavern, where having drunk several bottles of wine (for it must be noted that when Ely had once engaged him in the business, he (Tonge) was seldom very sober), Ely told him he seemed to speak as if he were afraid, whereupon he answered that the sight of his Majesty was enough to daunt any person. That then Capt. Ely bade him be courageous, and after drinking several healths to the Duke of York, gave him a guinea, as an earnest of a much bigger sum. That while they were thus drinking, a stranger came in, a Portuguese, as he was told, and one of the Queen's cooks, who said he heard he was on a very good design, and that no doubt all good Catholics would join in it, who desired the truth should be found out. That the next day he changed his lodging; but his uncle having discovered his new abode, warned him against the sin of perjury, especially against his own father, and made him send a true account to him of what he knew, in several letters which were read at the Council Board. That Ely having by some means had notice of this correspondence, warned him to avoid all company, and removed him the same evening to another lodging. That one day after this, he met in the Strand a Mr. Cooper, formerly a servant of his father, and told him what he had done, and that he had given his name, among others, to Capt. Ely and that Ely wished to speak with him and one Mr. Allen, formerly Oates' clerk, who could swear such things, said Ely, against Oates that it would make a man's hair stand on end to hear it. That on Cooper's going with him to M. Choqueux' wine-cellar in the Savoy, Capt. Ely, who was there, made overtures to Cooper to join Tonge; but on Cooper's leaving without a reply, Captain Ely said, "Simson, this Cooper is a cunning shaver; I don't like him," and began to storm at Tonge in his usual way, on learning that he had told Cooper his whereabouts; and then, after consulting together, Ely and Choqueux agreed that he should remove, under pretence of ill-health, to one of Choqueux' lodgings in the Savoy. That the next day, Capt. Ely gave him 3*l.* 10*s.* out of 10*l.*, which he said he had received by order of Mr. Chiffins, and sent 20*s.* to one Mrs. Fitzgerald, to persuade her to swear against his father, though he produced a note under hand before the Council, that he gave her that money only out of charity, she being then ill. That Capt. Ely, still importuning him for more papers, drove him again to Windsor, and they called at a place in the Great Park, two miles from the town, which belonged to Mr. May, the Keeper of the Privy Purse, where they were both entertained by a Mr. Nunn, Mr. May's gentleman; and after dinner, Ely sealed up the papers he had given him, and left him, saying, on his return with Nunn, that he had given the paper to the King, and that it was the materialest paper he had written. That towards the end of August he called at Mr. Lane's house, and Mrs. Lane reproached him for not having been more civil to her, adding, by way of explanation, that Ely had received 100*l.*; and on his replying that he himself had only had 3*l.* 10*s.* from him, she said that Ely, whom she had thought an honest man, was a cheating rascal. The Lanes then urged him to place himself in their hands and told him to go to Arundel Street and enquire for Mrs. Cellier, for she was a person who had promised to assist him. That Mrs. Cellier, on his going to her, said, "Mr. Tonge, I am very glad to see you: I am very sorry you have so little encouragement in your business. I must confess I have been bit already for my zeal in promoting the Catholic cause; but I have a book to print, which will sufficiently vindicate my innocency from all malicious calumnies, and publish to the world the grand

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villanies and rogueries of Oates and Bedloe and his crew, and shall print nothing but what I have witnesses to confirm;" and then told him of a great man (but named him not) who would join with her, and appointed to meet him privately over the water; but that not finding her at home when he called, he went off to search for Ely, who gave him more encouragement than she did, and he never went to her again. That a few days after, M. Choqueux invited one Crawley, Capt. Ely, and himself with some others to a fish dinner in the Savoy where Choqueux introduced him to Crawley. That Cooper, having found out his lodgings in the Savoy, came to see him, and after some discourse took advantage of his leaving the room to purloin two of his papers, which were brought to the Council, and one of which was there read to him, but Oates told the Lord Chancellor he could not find the other. That Ely and Choqueux, on learning that these papers were missed, declared that Cooper had betrayed them, and removed Tonge hurriedly to one Mrs. Salisbury's house, near the Glass House in the Savoy, where, after a week, Capt. Ely came and told him that Oates had delivered a petition to the Council against him, but bade him not fear, as Oates could do him no harm, and added that as the papers were loose, which he delivered to the King, it would be convenient if he would recollect his memory, and put together their contents again on one sheet of paper, to be delivered with certain papers of Crawley, whose testimony they would serve to corroborate. That a few days after Ely took him, together with Crawley and one Mr. Murphy, an Irish schoolmaster in town, to Windsor, where Ely, after taking his paper to the King, returned, saying that the King had told him that his (Tonge's) uncle had been with one of the Secretaries of State with a recantation by Tonge, declaring that the Papists had set him to swear against his father and Oates. That Ely, according to his account, had declared to the King his disbelief in the recantation, but told Tonge that he would do well to clear himself to the King, and he accordingly, with Crawley, wrote a paper denying the recantation. That on Crawley's going several times to the Castle, to find one Mr. Sherridon, a favourite of the Duke's, Ely bade him not trouble his head with Sherridon, and went himself to the Duke, telling Crawley on his return that his Royal Highness could not remember having received any papers from Sherridon, the papers in question being transcripts from alleged originals of his father, concerning Parliaments, wherein were very dangerous words, pretended by Crawley to have been transcribed by him, and obtained for that purpose from one Mr. Bryan, a prisoner in the Gatehouse, about the Duke of Buckingham, to be witnessed by the two Murphys, both Papists. That Ely when at Windsor went often to speak with Mr. Chiffins, who, however, little regarded him, so that, wanting money, and finding Windsor very dear, he was compelled to pawn his sword, &c. until Mr. Choqueux sent him some money. That Ely next told him he must draw up some papers relating to the death of Sir Edmundbury Godfrey, for none should make him believe that the Protestants did it, to be revenged upon the Roman Catholics, and added that there was a club of Presbyterian lords in the city, who plotted the destruction of the Government; that the Duke of Monmouth went often thither, and they made use of him only to promote their designs, never intending to make him King of England, but only to maintain and countenance their faction; and therefore his health was to the Duke of York and to the confusion of all fanatics. He said likewise that Prance was a great rascal; that he knew nothing of Sir Edmunbury Godfrey's death, but what was extorted from him, and told him (Tonge) much the same story the Lady Rampant, Mrs. Cellier, relates

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in her lying Popish legend concerning France. Likewise he said that L. Shaftesbury was the chief of that rebellious club, by whose order and directions all the rest moved, and that, for his part, he thought he (Tonge) would do the nation a great service by undeceiving them as to that particular of Sir E. Godfrey's death. That, in reply to all this, he told Ely he knew nothing of the incident, but that he knew a gentleman who did make a discovery to his father, after Bedloe had made his, but came in too late, and had no encouragement to make any inquiry farther, and he did not know where he lodged. That Choqueux afterwards expressed his wish to introduce him to Mr. L'Estrange, to whom Choqueux was much obliged for clearing him so handsomely concerning the story of the fireballs, which he kept in his chamber and were reported for the firing of the city. That accordingly, at a collation at Choqueux's lodgings, he met L'Estrange, who promised to assist him, as far as he could, and desired to see his papers, adding that for his part he found the whole plot replenished with nothing but improbabilities. That a few days after, L'Estrange asked him for a copy of the information delivered to the King, and, failing to get it, offered to write down as much as he could recite from memory, an offer, however, which he declined. That shortly after, Ely and Choqueux appeared before the Council, and told him, on their return, they came off very well, and that he too would have to appear. That on his going before the Council, with Ely, the Lord Chancellor committed him to Newgate for high misdemeanours, and endeavouring to defame the King's evidence and all the prosecution of the Popish Plot. That in the Press-yard at Newgate, one Giles that stood in the Pillory for attempting to assassinate Justice Arnold, told him if he would be firm and not waver, he doubted not he could get Mrs. Cellier to stand his friend and procure him money. That in the Press-yard also one Mrs. Elmes, a zealous Papist, and a friend of M. Choqueux, came to him and said the eyes of all Catholics were upon him, and bade him stand by his first papers, for she had a large estate, and he should not want. That he was then advised to apply to Ely to bail him, as L'Estrange, so he was told, had been bail for Ely; but Ely, in reply, wrote a crafty letter, declining to do so, lest the act might be misinterpreted. That after a while Capt. Richardson sent for him, and for want of money removed him to the Master's side of debtors in Newgate. That on being summoned again before the Council, his affidavit, taken before Mr. Justice Bridgeman, was read, and the Council were then of opinion that Ely was the main person who instigated him to draw up the objections against the Plot, which he hopes he has now abundantly demonstrated, though L'Estrange has grossly abused him in his lying Dialogue. Adds that since his committal to Newgate a *Habeas Corpus* was brought for him to appear at the King's Bench Bar, and on his moving the Court he was sent to the King's Bench. *Signed*, Simson Tonge. *Witnessed*, Thos. Waller, Fran. Rame, Thos. Castell, John Rawlings. Read this day, but nothing done on it. Exam. Book. *See also* L. J., XIII. 711. [For evidence given to the Committee for Examinations about L'Estrange *see* Notes to Nos. **264, 335**; and for evidence about Ely, *see* Note to No. **335.**]

Annexed:—

(*a.*) 10 Dec. Petition of Simson Tonge. Petitioner was by order of the Council Board committed to Newgate for high misdemeanours and endeavouring, by false accusations and subornation of perjury, to defame the King's evidence, and all the prosecution of the Popish Plot, the copy of the commitment

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being thus worded, though no perjury can be proved against petitioner, he never having been sworn. Petitioner was to have been prosecuted this term by the Attorney-General, but has made affidavit before Mr. Justice Bridgeman who those persons were who by promises of money and preferment encouraged him to swear that his father and Dr. Oates were the contrivers of the Plot. Prays to be heard before the House, and to have the benefit of the Proclamation granted to all persons giving farther information within two months concerning the Plot. No. 9 on endorsement (*See* No. **368**). Referred this day to Committee for Examinations. L. J., XIII. 711.

(*b.*) 9 Dec. Letter from Tho. Waller to the Earl of Winchelsea in Suffolk Street near the Hay Market. Has sent his Lordship Mr. Tonge's information and a petition for his Lordship to move the House. *Dated* 9 Dec. *Endorsed* 10 Dec.

(*c.*) 11 Dec. Letter of Simson Tonge from the King's Bench prison to the Earl of Winchelsea. States that the bearer is the bookseller whom Tonge desires to print his Case. Asks his Lordship to inform him if the House will grant an Order to have it printed. Is informed that Mr. L'Estrange, who would have sworn him to his papers, is fled, and that Capt. Ely has absented himself, who is one of the chief abettors. Could probably find out several of them, had he any hopes of his enlargement. Leaves it to his Lordship to move the House for his liberty. Mr. Sherridon is arrested by the Serjeant-at-Arms, concerning whose papers he could inform the House of Commons, and he knows the man that wrote them. Requests his Lordship to send word by bearer if he will have a hearing, and whether his petition was well resented in the House. *Endorsed.* Not read; No. 19 (*See* No. **368**).

335. Dec. 10. Popish Plot (L'Estrange and Ely)*.—Informations of Joseph Bennett, of Bloomsbury, Printer, and of Joseph Adshead [Hatchett], of St. Giles's, Oilman, sworn this day before E. Clarendon and E. Craven and E. Warcup, Esq., Justices of the peace. *Bennett* deposes that Roger L'Estrange induced him to go bail for Capt. Ely's appearance at the King's Bench, the latter being an utter stranger, and promised him counter security. Ely and L'Estrange having both absconded, Deponent and Hatchett, the other security, asked Mrs. L'Estrange to deliver to Sir Philip Lloyd, Clerk of the Council, a Petition of theirs to the King, which she professes to have done, but they can get no other answer from her than that she will take care of the matter. Has never heard of a letter of Ely to Mrs. L'Estrange, but he had written to his own wife to tell his sureties that they should be secured. Knows of no money given to Ely to abscond.—*Adshead* deposes that Ely lodged about two years ago in his house, and Deponent had always taken him for a Protestant. Ely was often visited by Mons. Shockey [Choqueux], and young Mr. Tonge, and by one Mr. Williams, a painter in Hyde Street. Became Ely's security in the affair of young Tonge, whose papers Ely said he carried to the King. Repeats Bennett's story of the Petition, and adds that Sir Philip Lloyd did not endeavour to promote the Petition until too late to apprehend Ely. Deponent is informed that Ely is Marshal to Lord Chesterfield, and is gone away on his Lordship's business. [*Bennett* and *Hatchett* were examined this day before the Committee for Examinations, the former

* See L'Estrange's pamphlet "The Shammer Shammed," pp. 15–17.

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having already, on 30 Oct., given evidence against L'Estrange. The Petition to the King was to have the bail secured: they were advised to have it drawn, the Clerk of the L. Chief Justice having refused them a warrant to apprehend Ely. Bennett never heard that Ely had money to go aside. *Mr. Warcup* was then directed to take their examinations in writing. On the 11th *Mrs. L'Estrange* was examined and said she never saw Ely above twice. Sir Philip Lloyd told her he thought the King would do nothing on the Petition. Her husband had a letter from Ely, desiring to be excused for leaving his bail, which he hoped the King would pardon. *Mrs. Ely* deposed that she showed her husband's letter to Mrs. L'Estrange, and then destroyed it, as of no use. (Exam. Book, 30 Oct., and 10, 11 Dec. 1680.) Nothing further recorded. *See also* No. **334** and Note to No. **264**.

336. Dec. 10. Popish Plot (De Feria).—The further information of Francisco de Feria, sworn before E. Warcup, Esq., this day. Informant in July 1679, by order of his master, Gaspar de Abreu de Frittas, Portuguese Ambassador in Ordinary, employed one Mr. Cooper to report the trial of Sir G. Wakeman, W. Marshall, W. Rumley, and James Corker, the priest; and the Ambassador, on reading the report of Marshall's defence, was displeased at his long speeches, which might exasperate the Court and jury, especially as Marshall had been assured he would not be condemned. That some time after the trial, there was a report about the Court and city that articles were coming out against the C. Justice Scroggs, upon which the Ambassador told Informant he would give fifty guineas to have a copy of them before they were made public. That, on hearing from Dr. Mendez, one of the Queen's physicians, that Scroggs was to be impeached, the Ambassador said he must leave the country at once, to avoid having to confess that he had sent Informant to Scroggs on the day of Sir G. Wakeman's trial, adding that he would go to Madrid with the Earl of Ossory, who, it was rumoured, was to go thither to compliment the King upon his marriage. That the Ambassador had told Informant that if the King of England, who was then ill at Windsor, died, the Marquis d'Avranches, Ambassador Extraordinary, or himself would take the Queen to Calais, and the other would stay to treat for the restoration of Tangier and the rest of her dowry, otherwise the Queen would be imprisoned; and it was to take care of her safety that there were two Ambassadors. That the Ambassador had said that Dugdale, one of the witnesses, was a rogue for not having accepted the money offered him by a chambermaid, a friend of Burgomanero, the Spanish Ambassador, to enable him to leave the country. That he had expressed great joy at "that villain Shaftesbury" being dismissed, and said "and now we must have his blood." That he had declared that Coleman was guilty. That he had told oue Antonio Fernandez, in the employment of the Queen's Confessor, who was to be tried for holding communication with one of the four Irish ruffians, that he had taken care that nothing should appear against him which proved true. That Dr. Mendez had complained to Informant that the Ambassador had not been so kind to him as he expected, adding that he knew enough against him to ruin him, and hurt many in England. And that, to ease his mind, he had written all this down, and more especially as to the design against Shaftesbury, Oates, Bedloe, and a country justice, and has now delivered the paper to the House. [Delivered in to the Committee this day, and read; and De Feria ordered to attend the next day (Exam. Book); but no further notice of it appears. De Feria was first examined before the Committee on the 26th October, when, in addition to what is set out in L. J., XIII. 623–5, he stated

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that the amount to be paid him and two others for killing E. Shaftesbury was not named to him, but that they were to have had between 11,000*l.* and 12,000*l.* for killing Oates and Bedloe; "and when they are killed" said the Ambassador, let the Parliament sit when they will." That Lord Shaftesbury was not to be killed till the Ambassador was gone. That Informant's brother, who was then in Flanders, whence he hoped to be able to wheedle him, was in London that day twelvemonth, having spent all his estate; and that on Informant's taking his brother to the Ambassador, and acquainting the Ambassador with his brother's poverty, the Ambassador told him he should not want money if he would do what he spoke for him. Mr. Warcup and Mr. Arnold were then directed to take his information in writing. (Exam. Book, 26 Oct.) On the same day, De Feria, being sworn at the Bar, gave an account of his discourse with the Portuguese Ambassador lately in England, and was ordered to take care to summon for the next day Mrs. Seares and the Portuguese mentioned in his narrative. (L. J., XIII. 620; MS. Min., 26 Oct.) On the 27th, Mrs. Seares and Salters were examined by the Committee, and Mr. Warcup was directed to take their examinations in writing (L. J., XIII. 625–6). De Feria's Information was read, as also his Information to E. Clarendon in May, which was the same as that taken before Sir Philip Mathews, and read yesterday. (Exam. Book, 27 Oct.) On the 28th, De Feria told the Committee (in addition to some evidence against E. Castlemaine, for which see No. **264**), that the Portuguese Ambassador, in discoursing to him about Sir E. Godfrey's death, had said that the E. of Danby was guilty of it, and that he was not killed at Somerset House; but the Committee ordered the entry of this statement to be cancelled. On 9 Nov. it was moved in the House that de Feria might have leave to print his "Narrative." "The Lords do not hinder him" (MS. Min., 9 Nov. No entry in L. J.). On 11 Nov. De Feria desired the Committee to be recommended to one of the bishops for instruction as to his conversion, being a Jew; and the bishop of Bath and Wells, being present, was desired to speak to the Archbishop of Canterbury to appoint some one. (Exam. Book. 11 Nov.) *See* also No. **338.**

Annexed:—

(*a.*) 28 Nov. Letter of date in Portuguese, signed **Abraham** de Faria, stating his readiness to come to England and declare what he knows, if he could be sure of a pardon. Wrongly described in a List of Papers (No. **368** *b*) as written in Italian. [On 20 Dec. Francisco de Feria told the Committee that he had received a letter from his brother to the above effect; and it was ordered that the House be desired to move the King to pardon him, though he should not get over to England before the time limited by the late Proclamation. (Exam. Book.) The Earl of Essex, in reporting from the Committee the same day, delivered the above letter to the House. (MS. Min. 20 Dec. No entry in L. J.)]

337. Dec. 10. Lady Grey v. L. Petre.—Petition of Katherine, Lady Grey of Warke, praying for leave to prosecute her bill in Chancery against Lord Petre, for the recovery of a debt of 500*l.* L. J., XIII., 711; almost *in extenso.*

Annexed:—

(*a.*) 21 Dec. Answer of William, Lord Petre. Respondent never borrowed a penny either of Lady Grey, or of any person under whom she claims, nor was ever indebted to her except as follows. About 27 years ago, Respondent being very merry at his house

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at Thorndon, in Essex, with Mr. Thos. Grey and other gentlemen, Mr. Grey offered him a horse, to have 500*l.* for it when Respondent should marry another wife, which horse was then broken-winded, and sold soon after for about 4*l.* Lady Grey declared against him in the Exchequer, as Executrix to Ralph L. Grey, who was executor to Wm. L. Grey, who was executor to the said Mr. Thos. Grey. If any such note or bond of Respondent's be come to her hands, it was upon the consideration aforesaid, and none other, and is for the same sum which the petition calls 500*l.* principal money, insinuating that it was money lent. Lady Grey has broken privilege by serving Respondent, before she petitioned, with a letter from the Lord Chancellor and a subpœna. Hopes that his privilege will be allowed. [Read this day. MS. Min. and L.J., XIII. 725.]

338. Dec 11. Popist Plot (Buss).—Information of Thos. Busse, of the parish of St. Margaret, Westminster, Cook and Servant to his Majesty in the office of a cook in his own kitchen as third cook, called by the name of Groom of the Kitchen, and being Master Cook to their Graces the Duke and Duchess of Monmouth, in Sep. 1678, when his Majesty was at Windsor. Informant, when going on the 13th or 14th September to buy in provisions for their Graces, the Duke being then returned from the battle of Montz [Mons], chanced to see four of his acquaintances talking together,—three Portuguese, and one Englishmen, whom he had not seen for three or four years, and whom he saluted by the name of Father Hankisson, asking him where he came from. He answered, From Italy. Two of the Portuguese then left, and Informant asked him if he had brought over any Bulls of pardons from the Pope; he replied "You'll never leave drolling." The other Portuguese, one Antonio Fernandez, then turned from their company to the fishermen in the market. Hankisson then told Informant that he came to Windsor on the 13th, and declined to drink with him, saying that he was in great haste, for he was going about 10 or 12 miles to a Lord's house, whose name Informant forgets. Hankisson, before leaving, bade Fernandez "take great care of those four worthy Irish gentlemen, for they will do our business in the Grace of God," and then told Informant that he was going to leave England tomorrow for Paris and then for Italy again. Informant had never seen him since, and thought nothing of the incident, till reading Coleman's papers and hearing "four Irish ruffians" mentioned, who were to kill the King, and being his Majesty's sworn servant, he told Sir Stephen Fox (who ordered Informant to acquaint the Committee of Secrecy), and also Mr. Vernon, as Secretary and Steward of their Graces, who informed the Committee. Informant then went before the Committee of Secrecy in Serjeant's Inn, who liked the information very well, for they wanted then some one to second Dr. Oates' depositions, and at the trial of Councillor Langham he was fetched by the Under-Sheriff to give evidence against the prisoner. Fernandez, making a weak defence before the Recorder, Sir G. Jeffreys, was sent to Newgate, and Informant was bound over to prosecute him, and appeared on summons from Windsor at Sir G. Wakeman's trial, but was not called, and so, on Dr. Oates telling him he was not wanted further, he returned to Windsor. Sworn by order of the Lords Committee for Examinations before E. Warcup, 11 Dec. 1680. No. 11 on Endorsement (*See* No. **368**). [Read this day before the Committee. (Exam. Book.) *See also* Clarke's James II., i. 561.

339. Dec. 11. Child v. Furseman.—Petition of Nathaniel Child, late Mayor of Wareham, in the County of Dorset, now a prisoner in the

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Fleet, the only surviving trustee for the Corporation of the poor people there. Petitioner being the last Mayor of the Corporation according to ancient prescription, in 1646 and again in 1664, on his Majesty's visit to Wareham, paid to his Majesty's officers the fees of homage due, being 36*l.* 6*s.* 6*d.*, for raising which, and for other disbursements a rate was made. This was opposed by Furseman and others, who set up a new Corporation, which Petitioner resisted, as the sole surviving trustee, until his imprisonment, and he spent large sums in defending the rights of the Corporation, purchasing two parts of the manor and borough in trust for the Corporation, and supplying the record and patent lost in the late wars, during which Furseman and the others usurped the places of the fourteen trustees for the Corporation and hospital, and converted the profits to their private use, refusing to render any account, and since the discovery of their fraud, have disfranchised Petitioner. Furseman, being irregularly elected Mayor, sued Petitioner, his predecessor, in Chancery for an account, and obtained a decree *ex parte* ordering him to pay 214*l.* 3*s.* 5*d.*, though the Corporation owed him 7,000*l.* Notwithstanding Petitioner's appeal to their Lordships in 1670, the Respondents, who refused to answer, seized Petitioner's real estate and imprisoned him at the suit of one Loader, their solicitor, until he should mortgage his estate to Furseman and Bailey, two of the sequestrators. Petitioner is refused his liberty unless he will give them a general acquittance of all actions, and is denied the benefit of the late Act for the relief of poor debtors. Prays that John Furseman, Geo. Gillingham, — Cantlow, and Andrew Loader may be ordered to answer, and that Petitioner may have liberty to attend his Appeal. L. J., XIII. 712. [Lodged 29 Nov. and read this day. *See also* Calendar Ninth Report, No. **13.**]

Annexed:—

(*a.*) Paper containing copies of Orders of the Committee for Petitions, of 16 March 1670, and 4 April 1671. Pet. Book of dates. [Appended to preceding.]

340. Dec. 11. Sir R. Vyner (Privilege).—Petition of Sir Robert Vyner, Knt. and Bart., complaining of being prosecuted by Mrs. Eming Grace, Mr. Wm. Conyers and others, notwithstanding his order of privilege appended. Prays that the said order, made in the last Parliament, may be renewed, and the persons prosecuting him required to forbear. L. J., XIII. 712. MS. Min., 9 Dec. [A petition of Conyers was offered 26 March 1681, but "nothing done in this case." MS. Min.]

Annexed:—

(*a.*) 19 Nov. 1675. Copy order of privilege, referred to in preceding. L. J., XIII. 30. *In extenso.*

341. Dec. 13. Terrence v. Attorney-General.—Petition and Appeal of Francis Terrence and Martin Dynence, complaining of the dismission by the Court of Exchequer of their bill for relief on an order of loan assigned to them by one Gabriel Cox, and payable by Charles Bertie, or out of his Majesty's Exchequer. L. J., XIII. 713.

Annexed:—

(*a.*) 13 Dec. Order of the House on preceding. L. J., XIII. 713. *In extenso.* [Appended to next paper.]

(*b.*) 26 May 1685. Petition of Appellants that Respondents may be ordered to answer. L. J., XIV. 19.

(*c.*) 18 June 1685. Printed Case of Appellants. States that the Duke of Richmond, having an order for 1,000*l.* charged on the Fee-Farms, taken in the name of Wm. Gawen, the elder, had

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part of it assigned to Gabriel Cox and Wm. Gawen, the younger. That the Duke's other creditors, after his death, came in for satisfaction, but Cox and Gawen were excluded, though they often petitioned the King. Cox in 1674 assigned his share in the order to the Appellants. Gawen, holding the order, assigned his share on credit to L. O'Bryon, understanding that he had an interest with the Lord Treasurer, his son having married E. Danby's daughter; but the Appellants refused to assign theirs, till they had their money. That, thereupon, Lord O'Bryon, at Mr. Bertie's instigation, and under false pretences induced Cox to set his hand to an assignment to L. O'Bryon. That E. Danby and Mr. Bertie, knowing that Sir Robert Howard would not pay the money out of the Exchequer upon the order, unless satisfied that the assignees were discharged, contrived to pay it out of private service money, so that neither the Appellants nor Cox might learn that it was paid till after Lord O'Bryon was dead. That the Appellants not being able to get their money nor their order from Lord O'Bryon, petitioned the King in 1678, which petition was taken up by the Earl of Danby, but not suffered to be read. Afterwards Cox gave the Earl another petition, to let him know that if he had paid their share of the order to Lord O'Bryon, he had paid it in his own wrong, and had not taken a discharge from his Majesty; but the Earl put him off until Lord O'Bryon died, and then told him in a passion that the King had paid the money, and called him a dangerous Papist. Thereupon, Appellants again petitioned the King, but E. Danby at the Council got the petition off without any order being made on it, pretending to wonder that it should come there, when his Majesty, in special kindness to the Duke of Richmond's memory, and for satisfaction of his creditors, had paid the money long ago. The next Council day, Appellants delivered another petition, upon reading which the Council ordered they should have a hearing on Mr. Bertie's return to town. That, after many delays, caused by the Earl of Danby, who caused a sham entry of proceedings to be made in the Council Book, stating that the King was satisfied, and nothing more was to be done in the business, Appellants presented another petition, which was ordered to be heard in Oct. 1679. That Mr. Bertie evaded service of this order by leaving town, and another order had to be obtained. That Mr. Bertie brought a bill in the Court of Exchequer against the Appellants, and when the matter came before the Council, showed the King the order with the assignments, and the forged receipt thereupon, whereupon Cox taxed him with the forgery to his face. That, on Mr. Bertie's engaging before the Council to pay the money himself, if adjudged due by the Court of Exchequer, the Council ordered him to give a bond for 1,000*l.* to the Commissioners of the Treasury, which bond, however, he refused to seal, and though in contempt of the Council for disobeying their order, got leave of the King to go to Germany. That the Appellants having brought the matter to a trial in the Court of Exchequer, the Court dismissed their bill, and decreed that the order of loan, with the receipts and assignments thereon, should be vacated. That the Respondent Mr. Bertie has been served with their Lordships' order to answer, but has not obeyed it, but has got the order of loan cancelled in the Exchequer. That the assignment to the Appellants is not a trust, as was held in the Court

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of Exchequer, nor was it made by Cox to avoid any penal statute. [Read this day, on complaint made of its contents as libellous by E. Danby, and referred to the Committee of Privileges, to whom the cause itself had been referred on 27th May. L. J., XIV. 20, 48. The passages found scandalous are set out in L. J., XIV. 52. The Earl attended before the Committee, and the clerk, by his direction, marked the passages complained of. Terrence and Dynence did not appear before the Committee; but Cox, the author of the Case, which he had distributed to several members of the Committee, was present, and acknowledged his authorship. The Committee then reported as in L. J., XIV. 52. Priv. Book, 20 June.]

(*d.*) 26 June 1685. Petition of Gabriel Cox, Linen-draper to her Majesty. Petitioner acknowledges himself greatly faulty for having written and published a scandalous paper against the Earl of Danby intituled "The Case of Francis Terrence and Martin Dynence, Merchants." He is sorry, and ready to make acknowledgment. Prays to be released from the custody of Black Rod. L. J., XIV. 62.

(*e.*) 27 June 1685. Petition of same. Thanks the House for ordering his release. Prays that the Respondents may be ordered to answer, and for mitigation of the fees payable to Black Rod and the Clerk of the Parliaments.

(*f.*) 16 Nov. 1685. Petition of Appellants to the Committee for Privileges that their Appeal may be considered. [Read this day. Priv. Book.]

342. Dec. 13. Haward v. Angell.—Petition and Appeal of William Haward, Esq. William Angell, Esq., father of Petitioner's late wife Elizabeth, made provision in his will in 1674 for rectifying certain previous settlements, by obliging his daughters Elizabeth and Frances, when they came of age, to resign their interests thereunder in certain lands in Temple Ewell, Kent, and in Berks, to his son, who in case of their refusal was to have their portions for compensation, but in case such conveyance were made, and the personal estate should not suffice to raise the said portions, then the rectory of St. Michael, in Carmarthenshire, was to be sold for that purpose. Petitioner's late wife died before coming of age, and so, being unable by death to re-convey the property, as directed, could not forfeit her portion of 2,000*l.*, and her interest devolved on her sister Frances. Petitioner took out letters of administration after her death, and brought a bill in Chancery against Elizabeth the widow, and William, the son of William Angell, who were his executors, and the Right Hon. Wm. Mountague, Lord Chief Baron of the Exchequer, and Richard Marriott, Esq. his trustees for raising the portions, and the said Frances Angell, for the recovery of the said portion of 2,000*l.*, which he had never received, but the Lord Chancellor dismissed his bill. Prays that Respondents may be ordered to answer. L. J., XIII. 714. [Received 29 Nov. MS. Min.]

Annexed:—

(*a.*) 3 Jan. 1680–1. Answer of Elizabeth Angell, widow, and Frances Angell, spinster, an infant, by the said Elizabeth her mother and guardian. The lands in Temple Ewell, Lyd Rumney, Old Rumney, and Welland were, by the contract of marriage between Respondent Elizabeth and her late husband, intended to be settled on heirs male, but the settlement, by mistake, gave the sons only a life interest. The mistake was dealt with in

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Wm. Angell's will, by which the daughters were to elect between retaining their interest in the estate, or taking their portions. The Appellant, a man of no visible means, married his late wife without the consent of her father or mother, and made no provision for her. The testator's personal estate was insufficient to pay the portion of 2,000*l.*, nor is the Respondent obliged to pay it, nor was it ever intended by the testator to be paid unless the re-conveyance, directed in the will, were made. The Respondent Frances was left 1,500*l.* on the same terms, but being an infant, she cannot yet elect whether to adhere to her interest in the settlement or take the said legacy. Prays that the dismission in Chancery may be affirmed with costs.

(*b.*) 3 Jan. 1680–1. Answer of Wm. Angell, only son and heir of Wm. Angell, deceased. To the same effect as preceding.

(*c.*) 3 Jan. 1680–1. Answer of the Right Hon. William Mountagu, Esq., Lord Chief Baron of his Majesty's Court of Exchequer. Remembers being consulted upon the settlement, and that several of the limitations were ill-penned. Respondent, who claims no benefit in the matter, refers to the will itself, which purported to rectify the defects.

(*d.*) 3 Jan. 1680–1. Answer of Richard Marryott, Esq. It was the testator's intention, as expressed in his will, that the portion of 2,000*l.* should not be payed but upon the actual performance of the condition named.

343. Dec. 14. Atheism and Blasphemy Bill.—Draft of an Act for the punishing of Atheism and Blasphemy. Identical with the bill of Jan. 1677–8 (*see* Calendar, Ninth Report, No. **464**), as sent to the Commons, except that this Bill ends with the clause providing against corruption of blood after conviction. [Read 1ª this day: dropped after commitment on the 20th. L. J., XIII. 715, 722. A memo. in MS. Min. of 11 Dec. states:—"Search for Bill for Blasphemy, to be copied against Monday. Bp. London."]

344. Dec. 14. Papists' Forfeited Estates (Fanshaw).—Report from the Committee for Examinations concerning the discovery made by Oates and others of Papists' Estates forfeited. L. J., XIII. 715. *In extenso.* [A Petition of Roderick Mansell, Thomas Merry, and Samuel Oates, claiming, in opposition to Wm. Fanshaw, the reward for having discovered such Estates, having been referred to the Committee on 25 Nov. (L. J. XIII. 688), Fanshaw was ordered on 2 Dec. to attend. On the 6th the parties were ordered to lodge particulars of claim, sealed up. Fanshaw lodged an answer with particulars on 10th, and on 13th stated in evidence that Oates once offered him half if he would join with him. The Report was drawn up by E. Essex on 14th. On 11th it was agreed that Wm. Southall, who had received only 20*l.* out of 60*l.* ordered him for apprehending three priests, should receive 1,000*l.* more out of these Estates. Exam. Book of dates.]

Annexed:—

(*a.*) 14 Dec. Draft Order of the House referring the report to the Barons of the Exchequer. L. J., XIII. 715. *In extenso.*

345. Dec. 14. Papists in London (Sanford).—Draft Order for the attendance of Sanford, Esq., formerly a pretended foreign agent. L. J., XIII. 715. *In extenso.*

346. Dec. 15. E. Thanet's Privilege.—Draft order for discharge of John Blow and others. L. J., XIII. 716. *In extenso.* [*See* L. J., XIII. 711. The Earl's horses were seized for heriots. MS. Min. 10 and 13 Dec.]

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347. Dec. 16. Turner v. Zouch.—Petition and Appeal of Gawen Turner and Anne his wife. The late James Zouch, Respondent's father, left his real estate to trustees to sell in payment of his debts, and his personal estate to his wife Dame Beatrice, his executrix, and the Appellant Anne Turner's mother, who appointed Lord Anglesey executor in trust for the Appellants. On the Appellant's bringing an action of trover against the Respondent for goods of his father in his custody, the Respondent brought a bill in Chancery for relief, pretending he had paid his father's debts, and the Court in June 1680 decreed a perpetual injunction to stay Petitioner's action at law. Petitioners appeal against this decree. L. J., XIII. 718.

Annexed :—

(*a.*) 3 Jan. 1680–1. Answer of James Zouch. The decree complained of is founded on equity. Prays that the appeal may be dismissed with costs.

348. Dec. 16. Bateman v. Foot.—Petition and Appeal of Sir Thomas Bateman, Bart. Petitioner in 1665 borrowed 2,000*l.* of Sir Thomas Foot on the manor of Howhall-cum-Boylands in Norfolk, and the advowson of the church of Howhall, with other lands which he had bought of Sir Thos. Foot and Edward Denny. The mortgage was foreclosed in 1670, Petitioner being then in prison for debt, and unable to pay the 2,343*l.* 6*s.* 1*d.* certified to be due on the mortgage. Respondent had lessened the value of the estate by cutting down timber. Petitioner prays to be admitted to redeem his estate, though out of time. L. J., XIII. 718. [Received 29 Nov. The Cause was heard on 29 June 1685, (L. J. XIV. 67.) *Mr. Porter* and *Mr. Phillips* appeared for Appellant, and *Mr. Williams* and *Mr. Ward* for Respondent (MS. Min.)].

Annexed :—

(*a.*) 3 Jan. 1580–1. Answer of Sir Thomas Foot, Knt. and Bart.—Respondent having lent Mr. Denny 1,500*l.* on the manors and lands mentioned, and the Appellant having bought the inheritance of those manors of Denny, the Respondent, at the Appellant's request, joined with Denny in conveying the same to the Appellant, and received from him 1,500*l.* Respondent afterwards took a mortgage on the property as security for a loan of 2,000*l.*, but on taking possession he found it worth no more than 160*l.* a year, and he did not cut timber or commit waste as alleged. Respondent was compelled to foreclose, as the Appellant was simply trifling with him. Prays that the Appeal may be dismissed with costs.

(*b.*) 23 March 1680–1. Petition of Appellant, now a prisoner in execution in the King's Bench, for a day for hearing, and for a *Habeas Corpus* to attend it. L. J., XIII. 750.

(*c.*) Copy of Order of the House of 14 Dec. 1670 granting a *Habeas Corpus* to the Appellant in Green v. Cole. L. J., XII. 389. *In extenso.* [Appended to preceding.]

(*d.*) Copy of similar Order, of 10 May 1675, in Squib v. The King. L. J., XII. 685. *In extenso.* [Appended to (*b.*).]

(*e.*) 23 March 1680–1. Draft Order on Appellant's Petition of date (*b*). L. J., XIII. 750. *In extenso.*

(*f.*) 26 May 1685. Petition of Appellant, who has been twice disappointed of a hearing, owing to the dissolution of Parliament. Prays for a day for hearing, and for another order for a *Habeas Corpus*, similar to that of 23 March 1680–1 annexed. L. J., XIV. 18.

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(*g.*) Copy of (*e.*) above, appended to preceding.

(*h.*) 6 June 1685. Petition of same, for a day for hearing. Respondent has been duly served with the Order to answer, as appears by annexed affidavit, but has failed to obey it. L. J., XIV. 34.

(*i.*) Affidavit of Philip Reeves of 29 May 1685, that he served a copy of the order to answer, dated 26 May, on the Respondent at Clandon House, Surrey, the residence of Arthur Onslow, Esq. [Appended to preceding.]

(*k.*) 10 June 1685. Answer of Respondent. Refers to his previous Answer (*a.*). Prays that the same may stand, and that the appeal may be dismissed, especially as Appellant is a prisoner, and has given no security for the costs of the Appeal. [Brought in this day, MS. Min.]

349. Dec. 17. Protestant Foreigners Bill.—Draft of an Act for the encouragement of Protestant Strangers to come into and inhabit this kingdom. "Forasmuch as the Protestants in foreign nations do at this time suffer great and heavy pressures and afflictions, and by being daily pursued with unusual severities are reduced to a most distressed and lamentable estate, and all this only for adhering to the true religion which the enemies of the Reformation labour everywhere to extirpate, we therefore, your Majesty's most dutiful and loyal subjects, the Lords and Commons in Parliament assembled, having a very tender regard to and compassion of the sufferings of all the distressed Protestants in parts beyond the seas, do most humbly beseech your Majesty that it may be enacted, and be in enacted, &c., That all and every person and persons born out of His Majesty's dominions of the Protestant religion, and all Merchants, Traders, and Dealers in any goods, wares, or merchandizes, artizans, artificers or others working or manufacturing any goods or commodities, or any mariners or seamen, who are at present inhabiting within any part of this kingdom, or shall at any time hereafter within the term of seven years from the end of this present Parliament transport his and their stocks and families into any part of this kingdom with intention that themselves and children after them will inhabit, reside, and abide in some part thereof, shall after his or their arrival, with his or their stock, substance, and family or families within this kingdom, and after taking the oaths and making the subscription hereinafter appointed, be adjudged, reputed and taken to be free and natural subjects of this Kingdom in every respect, condition, and degree, and to all intents, constructions, and purposes, as if they and every of them had been or were born within this kingdom. Provided always, that no person of the age of sixteen years and upwards, be capable of any benefit of naturalisation by this Act intended until he or they have first taken the oath of obedience commonly called the Oath of Allegiance, and the Oath of Supremacy, and also made and subscribed the Declaration mentioned in an Act intituled An Act for the more effectual preserving the King's Person and Government by disabling Papists from sitting in either House of Parliament, which oaths shall be taken and the Declaration aforesaid made and subscribed in the High Court of Chancery, between the hours of 9 and 12 in the morning or before the Justices of Peace of that County where the Protestant Stranger shall tender himself at some public and open Quarter Sessions, who shall have power to administer the same accordingly, and shall cause an entry thereof to be made and recorded in a roll to be kept for that purpose, without paying any other or greater fee for the same than the sum of twelve pence. And be it

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further enacted by the authority aforesaid, that all and every the persons naturalised by this Act, who do or shall desire to exercise any Art, Trade, Mystery, or manual occupation, shall and may freely set up and exercise the same within any of the cities, boroughs, or towns corporate within this Kingdom without the let, impediment, or interruption of any person or persons whatsoever, any law, statute, Act of Parliament, charters, customs, liberties, franchises, privileges, usage or other matter or thing to the contrary notwithstanding. And moreover all and every Tradesmen, Artificers, Artizans, Workmen, and Seamen, so naturalised as aforesaid, who shall desire to be admitted into the Brotherhood, Fraternity, Society, or Fellowship of any Trade, Craft, or Mystery in any such city or corporation, and shall make his or their desire known unto the Chief Magistrate of the place, or such other person and persons who have power to admit him or them thereunto, that then and in such case every such Chief Magistrate or other person or persons having authority to make such admissions, shall forthwith admit such Trader, Artificer, Artizan, Workman or Seaman to be a brother or member of such society or fellowship, whereinto he prays to be admitted, and in default thereof shall forfeit and lose unto the King's Majesty the sum of 100*l.*; And moreover the person so refused, upon oath made of such refusal before the Justices of the Peace at the next Quarter Sessions, shall be and is hereby made a member of that Society, whereinto he prayed his admittance, as fully and amply to all intents and purposes, as if he had been admitted according to the usual form, any practice or usage heretofore to the contrary notwithstanding. And be it further enacted by the authority aforesaid, that no person or persons naturalised by this Act, who shall exercise any Trade, Craft, Manufacture, Mystery, or manual occupation, shall at any time use, take, retain or keep in his or their service any Apprentices, Journeymen, or Covenant Servants above the number of , besides his or their sons or daughters, nor any apprentices or servants within that number, who shall not be Protestants, upon pain to forfeit and lose for every such offence the sum of , one moiety thereof to the King's Majesty, his heir and successors, the other moiety to him or them that will sue for the same, to be recovered in any Court of Record by action of debt, bill, plaint, or information, wherein no essoign, protection or wager of law shall be allowed, nor any more than one imparlance." [Read 1ª this day; dropped after Commitment on the 20th. L. J., XIII. 719, 722, 728.]

350. Dec. 17. Strode v. the King.—Petition of Essex Strode, Esq., Wm. Meachin, Richd. Brookes, John King, and Thomas Goodman, praying for relief against an execution sued out upon a judgment against them in the Court of King's Bench. L. J., XIII. 720; almost *in extenso*.

351. Dec. 17. Popish Plot.—Petition of Sir George Charnock, Knt., Serjeant-at-Arms attending their Lordships. Petitioner, during the late Sessions, was put to a very great and extraordinary charge in keeping and maintaining constantly three or four men with horses (besides his ordinary deputies), and sending them into most parts of England and Wales in the execution of their Lordships' orders for the seizing and fetching up of divers priests and other persons concerned in the Plot, in which service the Petitioner's deputies and servants rode above 2,000 miles, and Petitioner has expended above 100*l.* out of his own pocket more than he ever received of all the prisoners that he took, being about fifty persons, most of whom were either insolvent or else committed to prison out of his custody, and so never paid anything

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towards his fees or charges. Prays their Lordships to move the King on his behalf for an allowance. [Offered 16 Dec. (MS. Min.), and read this day. (L. J., XIII. 719.)].

Annexed:—

(*a.*) Dec. 17. Draft Order of the House on preceding. L. J., XIII. 719. *In extenso.*

352. Dec. 17. Papists in London (Hall).—Petition of Francis Hall to the King and the House of Lords. States that, by the order annexed, he stands committed to the custody of the Serjeant-at-Arms, by the name of William Hall, as a convicted Papist, staying in London contrary to the King's proclamation. Petitioner came to town by licence of four justices of the peace in Monmouthshire, about some land he sold in Oxfordshire, and was seized on wrongly, as W. Hall, by a messenger. He is no convicted Papist, and is willing to give security for his speedy return. [Offered 16 Dec., and ordered to be read in a full house (MS. Min.). Read this day (L. J., XIII. 720.) William Hall was examined by the Committee for Examinations on 14 Dec. He owned being a Papist convict, but said he stayed in town because he had had a suit, and he intended to leave the next day. His brother had lately conformed, and he desired time to consider. Exam. Book of date.]

Annexed:—

(*a.*) 14 Dec. 1680. Copy order referred to in preceding petition and annexed thereto. L. J., XIII. 715. *In extenso.*

353. Dec. 17. Papists in London.—Petition of Mary, Lady St. John, for leave to stay in town, where she has lived many years, not having any other habitation, and being not able, by reason of her great age and many other infirmities, to take a journey. L. J., XIII. 720.

354. Dec. 18. Court of Marches of Wales Bill.—Commons' engrossment of an Act for the taking away of the Court holden before the President and Council in the Marches of Wales. Whereas all causes determinable in the said Court are more properly determinable in the Courts of Great Sessions and other Courts with more ease and less charge to the subject; and forasmuch as the proceedings in the said Court are arbitrarily at the discretion of the judges thereof, without any inquest or Jury, whereby the said Court is become very grievous and oppressive; and forasmuch as the support of the said Court is highly chargeable to the Crown; the Bill enacts that from the 2nd Feb. 1680–1 the Court shall be dissolved, and the Acts conferring jurisdiction upon it repealed. *Parchment Collection.* [Brought from the Commons this day, but dropped with the Session after a first reading. L. J., XIII. 721, 727.]

355. Dec. 20. Berrier v. Stead.—Writ of Error, &c., brought in this day. L. J., XIII. 722. *Parchment Collection. See also* No. **378.**

356. Dec. 20. Rawlins v. Snowden.—Writ of Error, &c., brought in this day. L. J., XIII. 722. *Parchment Collection.*

357. Dec. 20. Gawden v. Rogers.—Writ of Error, &c., brought in this day. L. J., XIII. 722. *Parchment Collection. See also* No. **326.**

358. Dec. 20. E. Thanet's Privilege.—Letter from Tho. Medley to Richard, Earl of Thanet. He supposes his Lordship has heard from Capt. Goring of the death of his tenant John Lidgater, leaving 137*l.* 0*s.* 10*d.* due for rent. Has made up accounts with his executors, and the rent will be paid as soon as possible by sale of his stock. The

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distress made on Lidgater's farm on 30 July last by Robt. Matson and John Sturt was for 80*l.* due on an annuity granted to Dorothy Matson as they pretended. *Dated* Lewes 26 Oct. 1680. Addressed to the E. Thanet at his house at the upper end of Suffolk Street near Charing Cross. L. J., XIII. 723. [Sturt was examined this day at the bar. The Earl disowned the debt. M.S. Min. of date.]

359. Dec. 20. D. Monmouth's Privilege.—Petition of John Mason, Clerk. Confesses to having uttered some unbecoming and rash words derogatory to the honour of the Parliament and also of his Grace the Duke of Monmouth, for which he is heartily sorry, and begs pardon of the House and of his Grace. Prays to be discharged from custody, being very poor, and his small curacy of 30*l.* per annum lying wholly neglected through his restraint. L. J., XIII. 656, 723.

360. Dec. 20. Mrs. Cellier. — Information of John Zeal, taken this day before E. Warcup, Esq., Justice of the Peace, by order of the Lord's Committee for Examinations. States that Mrs. Mary Houlby *alias* Binckley, at the time she brought the paper containing the matters to be sworn against the Earl of Shaftesbury in the Marshalsea, told Informant that he should stand to what he had set his hand unto, and should prove the same, in which case he need not fear anything, for the Duke of York would come to the crown sooner than Informant could imagine, and would be his friend, and Informant would be made for ever, and should keep his coach and horses; and that if Mrs. Cellier did not proceed with more vigour in the business, she would get some other person to do it. Informant further states that Theophilus Dalton was employed by Mrs. Cellier in the business, he being an Irishman and Papist, and that he promised to equip Informant in a garb, with a beaver hat, a suit of clothes, and laced linen, to swear against the Earl of Shaftesbury at the Council. That T. Dalton is since fled, and that it was agreed that Lewis, Dalton, and Informant were to go to Chatham to the Prince's, where Informant's father was Purser, and by that means Informant was to slip the papers against the Earl into the desk of Informant's father, of which he had a key, and that some time after he was to ask his father to look for them. That this trick was invented to corroborate the evidence intended to be given against the Earl, but that Informant remaining a prisoner, the project failed, though Mrs. Cellier said she would procure Informant's liberty in order to it. [From the Exam. Book it appears that John Zeal, a prisoner in the Marshalsea for a debt of 10*l.* (of which he was ordered to be discharged on 16 Dec.), wrote a letter to Mr. Rich, a Justice in Surrey, concerning "a practice in Southwark," being designs against the Earl of Shaftesbury. His information, and that of another prisoner, Wm. Lewis, were taken by Mr. Rich and Mr. Reding, and sent to the Council, whence they were forwarded by Mr. Bridgeman to the Committee. Mr. Rich being heard on 30 Oct., stated that one Dalton, who was implicated in the information, had been to him and confessed all that he was charged with by Zeal and Lewis. On 3 Nov. *Zeal*, having been brought with Lewis from the Marshalsea prison, was examined by the Committee, and said that Mr. Fanshaw, with another gentleman, brought him a paper to the Marshalsea, and asked him if he owned it, and he said he did; that Mrs. Cellier, Mrs. Houlby, and Mr. Dalton were the only persons he held correspondence with; and that Mrs. Houlby told him he should keep coach and horses if he would sign the paper sent from Mrs. Cellier. He believes Lewis knows more than he has sworn. *Lewis* was also examined, and admitted having been with one Churchill,

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a priest, at the Tower, but not with any of the five Lords. Dalton had introduced him at Knightsbridge to Churchill, who passed for a physician, and who told him, when at the Tower, that it was endeavoured that the City magazine should be put all into one place, in which case, it would be an easy thing to surprise the city with 6,000 or 7,000 men. Witness wrote to Mrs. Houlby first, before she came to him. *Mrs. Houlby* was then examined, and denied having known one Hill, till he was in the Fleet prison, or Mrs. Cellier except though Lewis. Mrs. Cellier knows Hill well. The examinations of these witnesses, having been taken by Mr. Warcup, were then reported to the House, (L. J., XIII. 656), together with a further examination of Lewis, taken on 9 Nov., in consequence of E. Shaftesbury having stated that he heard, and of Zeal having previously expressed his belief, that Lewis knew more than he had said. (Exam. Book, Nov. 8, 9.) On 22 Nov. the Attorney-General informed the Committee that Zeal, in his information, said he did not know Mrs. Cellier, though he had, in his former examination sworn positively against her; and he further acquainted the Committee that Lewis had been guilty of forgery, and that he had no Order for a pardon for forgery. Then it was ordered that the House be desired to move the King for an absolute pardon for him. Evidence as to the forgery, which Lewis denied, was given on Dec. 14, 16. The Attorney-General also reported on 22nd that a true bill had been found against Mrs. Cellier in Middlesex, whereas her treason had been committed in Surrey; and he suggested that the King should grant a Commission of Oyer and Terminer for Surrey, so that she might be tried this term. Ordered to report this to the House. On 14 Dec. the Committee ordered security to be taken of Mrs. Houlby to appear, when summoned. The order for her discharge recites that she had been taken into custody at first by one of the messengers of the Council, on the complaint of Zeal and Lewis, and after being discharged on bail, had been retaken by warrant of Sir Lionel Jenkins, upon a new complaint of Zeal, and left in custody of Legatt, one of the King's messengers. Zeal was examined again by the Committee on 20 Dec., and Mr. Warcup, having been ordered, as before, to take his information in writing, delivered the above paper to the Committee on the 21st. Informations of John Hunkinson [? Hankisson. *See* No. **338**] and Thos. King against Lewis were read on 14 Dec. (Exam. Book, Oct. 30; Nov. 3, 8, 9, 22; Dec. 14, 16, 18, 20, 21.)]

361. Dec. 11. V. Mordant.—Writ of Summons, dated 20 Dec., to Charles V. Mordant, [Took his Seat this day. L.J., XIII. 724].

362. Dec. 21. Seymour's Impeachment.—Articles of Impeachment by the Commons against Edward Seymour, Esq., Privy Councillor, Treasurer of the Navy, and Member of Parliament, for several high Crimes, Misdemeanours, and Offences. *Parchment Collection.* [Brought from the Commons this day. L. J., XIII. 724–5. *In extenso. See also* No. **367.**]

363. Dec. 21. Popish Plot (J. Daniell).—Petition of John Daniell. Petitioner on 15 Dec. 1678 apprehended one John Fitzgerald, a Popish priest, by order of the Council, before whom he brought him, and afterwards, by warrant of the House of Commons, seized his books, papers, and vestments, which he gave to Sir C. Harbord, who was ordered to hand them over to the Council. Petitioner also arrested one Stephen Cotton, a supposed Jesuit, and brought him before Sir W. Waller, who, after taking his examination, committed him to the Gatehouse, whence he was released on bail; and lastly John Carrill and Robert Peters, both Jesuits, whom he lately brought before their Lordships. In performing

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these services, he has been at great charge, and loss of time, for which he has had no consideration, though he goes in fear of his life. Prays for some allowance. [Presented this day to the Committee of Examinations, who ordered 10*l.* to be paid him for his services. Daniell also informed the Committee that he knew a house in Surrey where Priests and Papists met, and Mass was said, (*see* next paper), and was directed to have his witnesses examined before Mr. Justice Reading. Exam. Book of date.]

Annexed :—

(*a.*) 21 Dec. Statement of informations by above Petitioner, as to meetings of Roman Catholics in a house five miles off, as Informant can prove, if examined; and also as to a packet of letters taken abroad by a messenger who has since returned, and and for whose arrest Informant prays their Lordships' assistance.

(*b.*) 21 Dec. Paper of services done by Petitioner. They relate to Madame Meredith, Richard Cormick, a meeting of Catholics at Woodford, and the arrest of L. Stafford's Steward.

364. Dec. 21. Privilege of King's Servant.—Petition of Robert Thomson, one of the Grooms of his Majesty's Privy Chamber in Ordinary and in Waiting. Complains of his prosecution to an outlawry, in contempt of privilege, at the suit of one Samuel Love, by John Dey and George Newton, his Attorneys. Prays that the offenders may be summoned. L. J., XIII. 725. [5 Jan. 1680-1 Thompson's case called on. Dey, at the bar, is asked if he arrested him. He says No. Asked if he has taken out the outlawry. He says not. He is bid observe the orders of the King's house. They withdraw. MS. Min. 5 Jan. No entry in L. J.]

365. Dec. 23. Morres v. Short.—Petition and Appeal of Edmond Morres, Esq. Complains of a decree of the Court of Exchequer in Ireland disallowing a claim of 129*l.* 15*s.* 6*d.*, in respect of which the Respondent, Thomas Short, pleaded minority. L. J., XIII. 727. [Lodged 21 Dec. MS. Min.]

366. Dec. 23. Hervey v. Hervey.—Petition of Elizabeth Hervey, the relict of John Hervey Esq. Petitioner, being the daughter and heir of William, late Lord Hervey, deceased, and possessed of a personal estate of 30,000*l.*, and a real estate worth 1,400*l.* a year, which was vested in John Hervey, as her trustee, married the said John Hervey in 1658, and inasmuch as Sir William, his father, refused to settle a larger jointure upon her than lands of 800*l.* a year, the marriage settlement provided that Petitioner's real estate should be vested in the Earl of Leicester and other trustees, to be disposed of, not by her husband, but by a manager appointed by Petitioner on her own behalf, or failing such appointment, by the trustees themselves, the personal estate going to her husband's own use. Petitioner then appointed her husband manager, who afterwards died, leaving Petitioner and the Respondent Sir Wm. Hervey executors, and the latter residuary legatee of the personal estate. Respondent thereupon sued Petitioner in Chancery, and the Court decreed delivery to him of all the testator's personal estate, without any deduction for his receipts as manager on her behalf. Respondent pretended in Chancery that the trust was treated only as a colour to preserve the estate from being sequestered for Mr. Hervey's loyalty. Petitioner submits that such an averment by parol only ought not to have been received against a solemnly executed deed. The

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testator's personal estate amounts to 90,000*l.*, and is amply sufficient to discharge all claims. L. J., XIII. 727.

Annexed:—

(*a.*) 23 March 1680–1. Petition of Appellant, that Respondent may be ordered to answer, and all proceedings in Chancery stayed pending the Appeal. L. J., XIII. 750. [Referred this day to the Committee for Privileges; but no entry of any proceedings in Priv. Book.]

(*b.*) 23 March 1680–1. Draft Order on above. L. J., XIII. 750. *In extenso.*

(*c.*) 23 May 1685. Petition of same. In spite of her Appeal and her Recognizance for the costs, her estate has been sequestrated. Appends Copy of her Appeal, and prays the sequestration may be discharged, and a day appointed for hearing. L. J., XIV. 14. [On 25 May, a question was first proposed, but not put, Whether to order anything on the Petition till the party comes over? Then the first question in L. J. XIV. 15 was resolved in the negative by 60 to 30. Tellers: L. Colepeper for Not-Contents, E. Feversham for Contents. The second question was then resolved in the affirmative by 47 to 44. Tellers as before. The House in each case ordered the said Lords to act as Tellers. (MS. Min. 25 May.)]

(*d.*) Copy of Appeal, appended to preceding.

(*e.*) 11 Nov. 1685. Petition of Appellant. Her estate has been sequestered, notwithstanding her appeal. Prays that the reference to the Committee for Petitions of 23 May last for approving and taking the security may be revived and continued. L. J., XIV. 77.

367. Dec. 23. Seymour's Impeachment. — The answer of the Right Hon. Edward Seymour, Esquire, to the Articles of Impeachment exhibited against him by the Commons assembled in Parliament. L. J., XIII. 727. *In extenso.* *See also* No. **362.** [Mr. Seymour, being called to the bar this day, said his Answer was short, plain, and true, and he hoped to make it appear he had done nothing but what became an Englishman. MS. Min. of date.]

368. Popish Plot.—List of twenty-five papers. *Endorsed*, "A List of Papers in this bundle, 1680." [The papers catalogued, the latest being dated 8 Jan. 1680–1, are calendared, where existing, under their respective dates.]

Annexed:—

(*a.*) *Undated.* List of priests and Jesuits impeached by Dugdale, who have fled. The names are Mr. Evers, Mr. Edward Lewson, Mr. Vavasor, Mr. Broadstreet, Mr. Fitzherbert, Mr. Poole, Mr. Symons (*noted*, Brother to Sir James Symons), Mr. Towers, and Mr. Francis Fitter and his brother. No. 20 in preceding List. [*Endorsed*, From Mr. Dugdale for Mr. Relfe. Memorandum, to go to Mr. Fookes, of Gray's Inn.]

(*b.*) 1680. List of six papers. *Endorsed*, "A List of Papers in this bundle, 1680." [The papers are calendared under their respective dates. The latest is dated 6 Jan. 1680–1. They are probably referred to in Exam. Book on 5 Jan., as ordered to be sent to the Commons.]

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1680–1.

1680–1.

369. Jan. 2. L. Finch.—Certificate that the Right Honble. Heneage, Lord Finch, Lord High Chancellor of England, had received the Sacrament according to the usage of the Church of England. [Produced at the Bar on the 3rd, when he took the Oaths and signed the Roll (No. **243**). L. J., XIII. 728.]

370. Jan. 3. Elers' Naturalisation Bill.—Commons' Engrossment of an Act for the Naturalisation of Peter Elers and others, aliens born. The Bill proposes to naturalise the following persons:—

Peter Elers.	John Oort.
John Bode.	James Raillard.
John Van Hattem.	Mathias Cole.
William Henry Cornelissen.	Dirck Vander Stegen.
John Lovis.	Martin Mey.
William Leonardson Robolt.	Cornelius Steler.
John Woder.	Thomas Verigny.

Parchment Collection. [Brought from the Commons this day and read 1ª, but dropped with the Dissolution. L. J., XIII. 728. *See also* No. **421.**]

371. Jan. 3. Bosvile v. Bosvile.—Petition and Appeal of William Bosvile, Gent. Petitioner's father Edward died seised of certain property worth 120*l.* a year in Stanton Harcourt and Sutton, in the county of Oxford. Petitioner, his son and heir, being then an infant, his uncle and guardian, Dr. William Bosvile, possessed himself of the writings relating to the estate, and fraudulently induced Petitioner, on his coming of age, to execute a release of the property to himself, and to give him a statute of 2,000*l.*, though Petitioner did not owe him a penny, and this release Petitioner was afterwards induced by false pretences to ratify. Dr. Bosvile, though he had promised to leave his own property, worth 600*l.* a year, to Petitioner, left that and Petitioner's property to the Respondents. Petitioner afterwards casually discovered proof of his title to the estate, and exhibited his Bill in Chancery, whereupon he was arrested on the statute of 2,000*l.*, and being a prisoner, was unable properly to instruct Counsel, so that his Bill was dismissed. Prays that the dismission may be set aside and that Thomas Bosvile, Jane Bosvile, Edward Frankish, and others may be ordered to answer. L. J., XIII. 729. [*Endorsed*, 29 Nov. 1680, when it was received (MS. Min. of date). Read this day.]

372. Jan. 3. Scotch Cattle Bill.—Commons' Engrossment of an Act limiting the times of importation of cattle from Scotland. Whereas by an Act, &c. (15 Car. II. c. 7 in Folio Ed.) provision was made against the importing of cattle and sheep from Scotland during certain months in the year, which said Act, in so far as the same related to great cattle and sheep, is expired, and that great numbers both of cattle and sheep do now come into this kingdom from Scotland at all times of the year, by means whereof they are brought in as well fat as lean, to the great prejudice of the grazing grounds of this kingdom, the Bill enacts that, after 2nd Feb. 1680–1, no great cattle shall be imported from Scotland into England between 24 August and 20 Dec., and no sheep, lamb, or swine between 1st Aug. and 20 Dec. No beef, salted or dried, mutton, or pork, or bacon shall be imported, except the quantity necessary on board ship, under the pain of forfeiture. Such importation shall be deemed a public and common nuisance. Cattle, &c. so imported

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may be seized, and if the owner do not prove within 48 hours that they were not imported from Scotland during the prohibited time, shall be forfeited. Places neglecting to make such seizure to forfeit 100*l.*, half for the use of the House of Correction, and half to the person suing for the same. The vessels importing prohibited cattle shall be forfeited, one half to go to the poor and the other to the person suing. The crews and persons concerned in such importation to be liable to three months' imprisonment in the County Gaol. And to prevent all fraudulent seizures, sales and compositions to be made by any person or persons whatsoever in any parish or place whatsoever where any great cattle or any the commodities aforesaid that shall be imported or found contrary to this Act, and to make this prohibition the more effectual, cattle, &c. seized shall, within six days, be slaughtered, under a penalty of 40*s.* each for great cattle and 10*s.* for the others, by the seizor, who shall retain the hides and tallow and suet, while remainder shall be distributed by the churchwardens or overseers, under a like penalty, to the poor of the parish, and beef, pork, &c. shall, within four days after forfeiture, be distributed one half to the seizor and the other to the poor of the parish, under a penalty of the value thereof being distributed one half to the poor, and the other to the informer, such penalty to be levied by distress, failing which, the offender to be liable to three months' imprisonment. Cattle, &c. found, after a first seizure, in any other parish, either through any fraudulent agreement or unfaithful connivance of any constable, &c., or any otherwise howsoever, may be again proceeded against. And whereas divers persons, on purpose to discourage others from making seizure of Scotch cattle, sheep, lambs, and swine, have intermixed some English cattle, &c. in droves and herds with those of Scotland, and so created many vexatious and chargeable suits against those that have seized cattle, sheep, lambs, or swine of Scotland, the Bill enacts that English cattle, &c., so intermixed, shall be subject to like forfeiture, &c. as Scotch. In actions against any person for seizure the verdict shall be for the Defendant if it be not proved that the cause of action arose within the County; and a successful Defendant shall have treble costs. Persons conspiring to evade this Act shall, if prosecuted within one year, be liable to the penalties of *Præmunire*. *Parchment Collection.* [Brought from the Commons and read 1ª this day, but dropped with the Session. L. J., XIII. 728.]

373. Jan. 5. Papists in London (Artima.)—Examination of Baldassare Artima. States that he is an Italian and a Papist, and has served Sir John Williams five years, and now serves his Lady, and is with her sometimes at Whitehall, and sometimes at her house at St. James'.—Sworn 2 Jan. before Sir W. Smyth, Bart. *Endorsed*, 5 Jan. [Produced before the Committee for Examinations this day, when Artima added that he had stayed in town to receive his money, as Sir John had not paid him. (Exam. Book.) Artima and John Sepolina were called to the Bar this day, and asked how, as Papists, they dared come to Court. They say, as servants. They are told that if they dare to come to Whitehall any more, they shall be imprisoned as long as they live. MS. Min. of date. No entry in L. J.]

374. Jan. 7. Scroggs' Impeachment.—Articles of Impeachment against Sir Wm. Scroggs, brought up from the Commons this day. L. J., XIII., 736. *In extenso. Parchment Collection. See also* No. **400.**

375. Jan. 7. Popish Plot (Mrs. Johnson.)—Information of Mary, wife of Humfry Dodson, in the Paved Alley in St. James's Fields,

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Hatter, and of Grace, wife of James Bennett, of the same place, Bookseller, sworn before Justice Warcup on 6th. Informants heard one Mrs. Johnson, wife of one of the Duke of York's Chairmen, express, among other Popish sentiments, the hope that the Duke would be king. [On 5 Jan. Mark Gowdall informed the Committee for Examinations that Mrs. Johnson had spoken scandalous words against the Parliament. Mr. Warcup was then directed to take the examination of the matter, and he delivered in the above this day. Mrs. Johnson said she was a Protestant, and denied having said she hoped the Duke would be king. (Exam. Book, Jan. 5 and 7.) On report to the House this day, it was ordered that the Attorney General have this information, and for the future the Committee may deliver such papers as are of this nature to him. MS. Min. No entry in L. J.]

376. Jan. 7. Popish Plot (Capt. Baines.)—Petition of Capt. John Baines to the Committee for Examinations. Petitioner, as directed by their Lordships, presented to the Privy Council last November his bill of charges, amounting to 110*l.* 2*s.* 6*d.*, and has since then received from the Treasury 23*l.*, which is all he has had from March last coming out of Ireland. Prays for some speedy order for a supply. [Offered this day, but one of the same kind depending in Council, nothing was done in it. Exam. Book.]

377. Jan. 8. Papists in London (Seth Elliott.)—Examination of Seth Elliott, Gardener to the Inner Temple, taken before Thomas Robinson, Esq., Treasurer and a Justice of the Peace. Nobody had lodged with him but one Mr. Cawley, an ancient Barrister, and his wife, and Mr. Rose, and they had all gone away. No one had lodged with him who was not a Protestant. Sworn this day. [On the previous day one Mr. Smith informed the Committee that there was a suspicious person in Elliott's house, to whom there was great resort of unknown persons, and Mr. Robinson was directed, by letter from the Clerk, to enquire into the matter. Exam. Book.]

378. Jan. 8. Berrier v. Stead.—Petition of John Stead. Petitioner was plaintiff in the Court of Common Pleas in an action of trespass and ejectment for lands in Yorkshire. Prays that Eliz. Berrier, who has brought a writ of error, may be ordered to assign errors thereupon, or be nonsuited. L. J., XIII. 740. *See also* No. **355.**

379. Feb. 3. Davies' Bill.—Certificate that on the 22nd Nov. 1675 the Royal Assent was given to an Act for vesting lands of Alexander Davies, Gent., deceased, in trustees for payment of his debts. (*See* L. J., XIII. 34.) *Unsigned.*

380. March 21. King's Speech.—Copy of his Majesty's speech in the Parliament at Oxford. L. J., XIII. 745. *In extenso.*

381. March 21. Writs of Summons, dated 20 Jan., to the following Lords, who took the Oaths this day (L. J., XIII. 746), viz.:—

(*a.*) Charles E. Westmoreland.
(*b.*) Arthur E. Essex.
(*c.*) Edward E. Conway.
(*d.*) Henry (Compton) Bp. London.
(*e.*) Thomas L. Windsor.
(*f.*) John L. Coventry.

382. March 21. L. Noell.—Writ of Summons, dated 17 Feb., to Edward Noell de Fitchfield, Ch^r, introduced this day. L. J., XIII. 746.

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383. March 21. Garter's Roll.—A perfect catalogue of the English nobility, attested by Sir Wm. Dugdale, and delivered in by him this day. *Parchment Collection.*

384. March $\frac{21}{31}$. Test Roll.—Roll of signatures of lords to the Declaration in the Test Act of 1678 between 21 March and 28 March 1681. L. J., XIII. 746–757. *Parchment Collection.*

385. March $\frac{21}{31}$. Oaths Roll.—Roll of lords who took the Oaths between 21 March and 28 March 1681. L. J., XIII. 746–757. *Parchment Collection.*

386. March 21. Dissenters (Repeal of 35 Eliz. c. I.) Bill.—Draft of an Act for the repeal of a Statute made in the 35th year of the reign of Queen Elizabeth. Identical with the Commons' Bill of 1680, as then amended by the Lords (No. **305**). [Read 1ª this day; dropped with the dissolution on the 28th. L. J., XIII. 746, 748.]

Annexed:—

(*a.*) 22 March. Draft order for the House to be put into Committee on the next day to examine the business of the Clerk's not presenting, at the late prorogation, to his Majesty for his Royal assent, the Bill for repeal of a Statute made in the 35th year of Queen Elizabeth. L. J., XIII. 748. *In extenso.* [From the MS. Min. of date* it would appear that the matter was first proposed to be referred to the Committee for Privileges. The further proceedings are thus recorded: "23 March, E. Bridgewater in the chair. The Clerk of the Crown was heard, and says the bills are not in his keeping, and therefore it not being delivered to him [*sic*]. The Clerk of the Parliaments (Mr. Browne) gave an account of the proceedings in this case. His account is to be reported on Tuesday next, and his Lordship may have liberty to take notes of Mr. Browne. E. Bridgewater reported that the House have been on the business, and that it is to be reported on Tuesday next. The House resumed, and the Report agreed to be on Tuesday. The Bill to be the first business to-morrow." (MS. Min., 23 March).]

(*b.*) 26 March. Report of the Conference this day on the matter referred to in preceding. L. J., XIII. 756. *In extenso.*

(*c.*) Engrossment of a Bill for the repeal of a Statute made in the 35th year of the Reign of Queen Elizabeth. Identical with the Bill of 1680, as finally returned from the Commons with the Lords' Amendments agreed to, and also with the draft above. *Marked*, Soit baillé aux Seigneurs. *Endorsed*, 1681. [What this engrossment is does not clearly appear. The Bill of 1680, which was never tendered for the Royal Assent, is already among the records (No. **305**), and the Bill of this Session, the only other one with the same title, originated in the Lords. It is probably a copy or re-engrossment by the Commons of their former bill, sent up to the Lords with the message desiring a conference on the subject.]

387. March 22. L. Chancellor's Speech.—The Lord Chancellor's speech to the Speaker of the House of Commons. L. J., XIII. 749. *In extenso.*

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* Locke's letter of 26 March, 1680–1, to Stringer, supplies more fully the other contemporary account of these proceedings. It is printed in Martyn's Life of E. Shaftesbury, having been derived from the papers at St. Giles's.

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388. March 22. Test Roll.—Roll containing the signatures of E. Bridgewater and E. Ailesbury this day to the Declaration in the Test Act of 1673. L. J., XIII. 748. *Parchment Collection.*

389. March 22. E. Bridgewater.—Certificate, dated 13 March, that John Earl of Bridgewater had taken the Sacrament [Produced at the Bar this day, when he took the Oaths and signed the Test Roll (No. **388**). L. J., XIII. 746.

390. March 22. E. Ailesbury.—Similar Certificate, dated 6 March, for Robert Earl of Ailesbury. [Produced at the Bar this day, when he took the Oaths and signed the Test Roll (No. **388**). L. J., XIII. 746.]

391. March 22. Writs of Summons, dated 20 Jan., to (*a*) Robert E. Scarsdale, and (*b*) Richard Butler de Weston, Ch^r, both of whom took the Oaths this day. L. J., XIII. 747–8.

392. March 22. Conspiracy in Ireland (Sir Thos. Southwell).—Petition of Sir Thomas Southwell, of Castle Matress, in the County of Limerick, Baronet. Sets forth that Mr. David Fitzgerald informed against him last Session, together with Lord Brittas, Col. Pierce Lacy, Sir John Fitzgerald, and others, for conspiring against his Majesty, and abetting a French invasion and a general massacre of all Protestants in Ireland, whereupon their Lordships were pleased to address his Majesty to cause Petitioner and the others to be summoned. Petitioner, on hearing of the summons, did his best, though in his 73rd year, to come quickly to London, but could not arrive there till the 26th of January last, when he found the Parliament dissolved. He is a true English Protestant, and the information against him arose from private revenge. Prays for a copy of the charge against him, and for leave to put in his answer in writing. L. J., XIII. 748. See note to No. **394.**

Annexed:—

(*a*.) 22 March. Draft order on preceding, L. J., XIII. 748. *In extenso.*

(*b*.) 24 March. Answer of Sir Thomas Southwell, Bart., to the Information exhibited against him by David Fitzgerald, Gent. Respondent is a true Protestant, and has a large estate near Limerick, which he must certainly have lost in the event of any French invasion as pretended, and he and his family could not hope to escape if a massacre took place of Protestants. Was never privy to any plot against the government, nor knows anything of the matters alleged against him to the contrary. The Information against him is prompted by private revenge, the Informant, David Fitzgerald, holding Respondent's lands without paying any rent, for which Respondent had prosecuted him. The Grand Jury at Limerick ignored the bill brought against him by Informant, and he is now imprisoned on the same charges as those contained in that indictment. *Endorsed* with this day's date. No entry in L. J. or MS. Min.

393. March 23. L. North and Grey.—Writ of Summons, dated 20 Jan., to Charles North, Grey de Rolleston, Ch^r, who took the Oaths this day. L. J., XIII. 750.

394. March 23. Conspiracy in Ireland (Sir John Fitzgerald).—Petition of Sir John Fitzgerald, Bart. Petitioner was brought from Ireland last parliament, and committed to the Gatehouse for high treason, though there was no evidence against him. Since the Dissolution he has petitioned the King in Council for discharge, and though the Attorney-General found no charge against him, he still remains in prison. Prays

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to be set at liberty. L. J., XIII., 750. *See also* Nos. **392, 395.** [On 7 Jan. the Committee for Examinations ordered Maurice Fitzgerald, David Fitzgerald, and Murtagh Downey to give evidence with regard to Sir John Fitzgerald and Col. Peirs Lacy (*See* No. **395**). On the 8th Sir John is told there is no want of evidence against him, but if he will confess the truth the House will mediate for him. He says he could never yet learn who his accusers were, nor of what he was accused. He never was in Paris, nor of the French King's Guards; but he was two years in France. David Fitzgerald says he never was at any meeting with him in contriving the Plot. His printed narrative (L. J., XIII. 650) is produced, and part of it read. He says he saw Dr. Hetherman, who told him he was going into France, and that Col. Lacy told him that one Hurley had told him that Mr. Fitzgerald had said that he was in the Plot. He says that Sir Thomas Southwell sent word or wrote to Col. Lacy about it. He says further that, hearing that L. Brittas was to have a Commission to raise men for the Holland service, he wrote to him that he might go with him. Sir John says that if 1,000 witnesses be against him, he vows to God he knows nothing more of this business. He is returned to prison. Exam. Book 4, 7 and 8 Jan. *See also* L. J., XIII. 650–2.]

Annexed:—

(*a*) 23 March.—Draft order referring above petition to the Committee for Privileges. L. J., XIII. 750. *In extenso.* [The Priv. Book contains no entry of proceedings, nor the Journals any mention of a report.]

395. March 23. Conspiracy in Ireland (Col. Lacy).—Petition of Col. Piers Lacy, Prisoner in Newgate. Petitioner, whose bill of indictment was ignored by the grand jury at Limerick, was also released on bail by the Lord Lieutenant and Council. Upon the King's command to appear before his Majesty and the Council in England, he was found to be so weak and unfit for the journey, that leave was given him to stay till his health was recovered, in spite of which he exposed himself to the voyage, from his anxiety to clear himself. Last Hilary term, another bill preferred against him was ignored by the grand jury at Westminster, but a Habeas Corpus which he sued for at the Old Bailey sessions was denied him, because he was committed by the House. Thereupon he petitioned the King, annexing Dr. Scarburgh's certificate, but nothing was done upon his petition. Prays for his discharge. L. J., XIII. 750. *See also* No. **392** and Note to No. **394.**

Annexed:—

(*a.*) 9 March. Certificate of [Dr.] Charles Scarburgh that Col. Lacy, a prisoner in Newgate, is very infirm, and in apparent danger of his life from his imprisonment. [Appended to preceding.]

(*b.*) 23 March. Draft Order of the House on the above petition. L. J., XIII. 750. *In extenso.*

396. March 23. Call of House.—Draft order for the House to be called on the 28th inst. L. J., XIII. 750. *In extenso.*

397. March 23. Appeals.—Draft Order limiting the time for presenting Appeals. L. J., XIII. 750. *In extenso.*

398. March 23. Grant v. Foy.—Petition and Appeal of Samuel Grant, of the Inner Temple. Complains of a Decree of the Court of Exchequer ordering him to pay 69*l.* 15*s.* to John Foy and Bridgett his wife, the widow of John Rhetorick, whose guardian Petitioner had been, without allowing the latter anything for his services as guardian. L. J. XIII., 750.

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Annexed:—

(*a.*) 23 March. Draft Order on above. L. J., XIII. 750. *In extenso.*

399. March 24. Bickerton v. Bickerton.—Petition and Appeal of George Bickerton. George Bickerton, Appellant's grandfather, entailed his lands of Horshall, Marbury, and Newhall, in the County of Chester, on heirs male, and was succeeded by his eldest son George, who died without male issue. On his death, Appellant's elder brother Arthur, nephew of George, ought to have succeeded, but George had destroyed the deed of entail, and his widow and daughter remained in possession. Appellant obtained two verdicts affirming the execution and subsequent destruction of the deed, but, instead of decreeing him possession of the estate thereupon, the Court of Exchequer decreed merely that the deed should be taken as existent, and left Appellant to proceed at law for recovery of the estate. Appeals against the said Decree, and prays that Elizabeth Bickerton and her daughter Elizabeth, his uncle's widow and daughter, should be ordered to answer. L. J., XIII. 753.

Annexed:—

(*a.*) 24 March. Draft Order on above. L. J., XIII. 753. *In extenso.*

400. March 24. Sir W. Scroggs' Impeachment.—Answer of Sir William Scroggs, Knt., Chief Justice of his Majesty's Court of King's Bench, to the Articles of Impeachment exhibited against him by the Commons of England in the late Parliament assembled. L. J., XIII. 752. *In extenso.* *See also* No. **374.**

Annexed:—

(*a.*) 24 March. Petition of same, for a speedy trial. L. J., XIII. 752. *In extenso.*

401. March 25. Popish Plot (Busby.)—Report from the Lords' Committees for Examinations containing information against one Busby, a Popish priest. L. J., XIII. 755–56. *In extenso.* [Report made to the House on 26th.]

1681.

1681.

402. March 26. Lord Speaker.—Commission to John E. Bridgewater to supply the place of the L. Chancellor. *Parchment Collection.* [Similar to No. **281,** but not entered in Records. Parliament was dissolved on 28th.]

403. March 26. Popish Plot (Fitzharris).—Message from the Commons, to impeach Edward Fitzharris. L. J., XIII. 755. *In extenso.* [The Attorney General, on motion, gave the House an account of the proceedings in the case as follows: "He was heard to the state of the business of Fitzharris on 27 Feb. Sir Wm Waller gave an information that on 23 Feb. he saw Mr. Fitzharris, and heard him say which paper was to be printed to stir up rebellion, &c. Mr. Semer [Seymour] caused Fitzharris to be apprehended; 28 Feb. his examination was taken. He was asked where he lived, and said in Chandos Street, and was a Roman Catholic, and that about eight days since he was at the Lord Howard's; that he never was at the French Embassy to his remembrance; that since his return, he said he desired to be excused from telling the place; that he was acquainted with Mr. Everard. 2nd March he was examined at the Council, and a paper produced, and he acknowledged it his handwriting. After the sham meeting at Oxford it is needful that all the counties do associate. At full Council acknow-

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ledged. 1 March was Smith's Information, who said that Edmond Everard came to his lodgings in London, &c. (Mr. Everard's Information was opened). He was committed after this to Newgate, and then the two Secretaries and Mr. Attorney to examine him, and he denied all in effect. This was 5 March. 6 March Sher. Cornish was with him, and told him he was in danger, but he replied he was ignorant of the Information, and Cornish acquainted his Majesty, and his Majesty commanded us to go again. 7 March he declared he knew no more but this, that he met Kelly, the priest, at Paris, and that Kelly owned he had a hand in killing Godfrey, much after the same manner as Prance had declared, &c., and that he was encouraged by Mount Cuculy* to kill the King, &c. They left him. The next day they went again, 8 March, and then he told what he heard from other priests, as Father Patrick, and that the King of France had a design on Ireland, and that he saw the plan of Kinsale in Father Patrick's hands. His Majesty ordered his Majesty's Attorney to prosecute him, and he has the Libel. The Libel was then read. *The true Englishman speaking true English* was read by Mr. Attorney in opening the business. 9 March there was an express order to prosecute him at law to Mr. Attorney General. The House then entered into debate of the Message." MS. Min. 26 March.]

404. March 26. Conyers v. Sir R. Vyner.—Petition of William Conyers, Gent. Petitioner having 650*l.* owing him on bond by Sir Robt. Vyner, Henry Lewis, and Richard Stratford, his Majesty's goldsmith, several times demanded the money. Payment being refused, he petitioned the King and Council, who ordered Sir Robert and the others to appear. Sir Robert's counsel claimed privilege under an order of the House of 11 December last, and Petitioner is left without his remedy. Prays that Sir Robert may be ordered to pay the debt, or Petitioner be allowed to proceed at law. [Nothing done in this case. MS. Min. of date. No entry in L. J.]

405. March 28. V. Newport.—Writ of Summons, dated 20 Jan. 1680–1, to Francis V. Newport, who took the Oaths this day. L. J., XIII. 757.

406. March 28. King's Speech.—Draft entry of King's and Lord Chancellor's speeches, dissolving Parliament. L. J., XIII. 757. *In extenso.*

407. March 30. Conspiracy in Ireland (Levallen).—Copy letter from Edward Lawndy, Mayor of Youghall, to D. Ormond, the Lord Lieutenant. Encloses letters (*see* Annexes below) which came to the port last night by the hands of a young gentleman out of France, who being examined, pursuant to the Duke's commands in that case, acknowledged he received them from Mr. Patrick Levallen,† son of Mr. James Levallen, near Cork, with orders to deliver them to his father. Knowing the said Patrick to be one of the suspected ruffians who were employed to murder the King, he had the papers opened in the presence of Mr. Villiers and Lt.-Col. Alex. Monroe, and sends them, finding Mr. Lavellen to have changed his name. *See* L. J., XIII. 731.

Annexed:—

(*a.*) 1 April 1680.—Copy letter from Garrett Herbert to James Levallen, Esq., at Waterstown, near Cork, asking for the

* Mons. Montecucully. *See* Clarke's James II. i. 668.

† A Royal Warrant had been issued on 12 Nov. 1679 to arrest "Capt. Patrick Lavallyan, one of the persons accused of designing to assassinate the King." *See* 6th Report of Hist. MSS. Commission. Appendix p. 779, 21 July and 12 Nov. 1679. (M. Ormond's MSS.) *See also* L. J., XIII. 731.

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pedigree of Mr. Creagh, deceased, to qualify his children as gentry, in spite of their father having been a merchant. He adds that Madam Creagh knows him by the name of Garrett Herbert.

(*b.*) 1 April 1680.—Copy letter from same to his mother Mrs. Ellen Levallen, at Waterstown, dated from La Rochelle, asking her to write to him under cover to Madam Creagh. Is going to Poitiers, though Col. McCarthy urges him to go to Paris, which is much dearer.

(*c.*) 1 April 1680.—Copy letter from same to Mr. Pat. Levallen Fitz-John, at Rowgerrane, to the same effect as preceding, and asking him to write. K—— acquaints him he doubts ere long to go for England. The want of money obliges several to wrong measures. Sends his service to Mr. and Mrs. Roch of Trabolgane, also Mally, Jony, Nanny, Peter, Milcher, and Matthew.

(*d.*) 2 April 1680.—Copy letter from Catherine Creagh to her brother Mr. Andrew Creagh Fitz-James, at Ballyfeenen near Limerick, asking for her late husband's pedigree, as in (*a.*) above.

1683–4.

1683–4.

408. Jan. 25. L. Conway.—Certificate of Clerk of the Parliaments, with corrections, that, on search of the Lords' Journals, under date 17th March 1627–8, are found, among the Peers then present, the names of Viscount Conway (present from that day till 24 April), and of Baron Conway (present from that day till the end of the Parliament.) [*Endorsed*, The Petition about the honour. The Clerk of the Parliaments' Certificate.]

Annexed:—

(*a.*) Corrected duplicate of proceeding.

1684.

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409. July 5. King's Printers.—Affidavit of John Guy, of St. Mary Woolchurch, London, Bookseller, that Henry Hills (Plaintiff in the cause Hills v. Chancellor of Oxford University), now King's printer, and Thos. Newcomb, deceased, his partner, formerly sold to deponent and his then partner Thos. Guy many thousands of Bibles printed in Holland, viz., Bibles in 12°, 24°, and Cans Bibles, which they had seized, as deponent is informed, as Dutch Bibles. That, soon after, they re-seized the Bibles from deponent and other booksellers, his customers, and threatened prosecutions, unless a composition was made. That on deponent's partner expostulating, Hills replied that the country booksellers bought them as Holland Bibles, which they ought not to have done. That since the last three years deponent had sent for many hundreds of Bibles at the King's Printing House, but was told that he could not have them. That within the last two years, Hills and others his printers had raised the price of their Bibles and Common-prayer books, in some cases by $\frac{1}{3}$th, in others by $\frac{1}{8}$th of a penny. That Hills, as deponent had been informed, increased the number of his presses about three years ago, and two booksellers, Wright and Chiswell, contracted to allow him 4*s.* 6*d.* in the pound, to have a share of their profits of printing, besides their allowing a full share of charge. That the said King's Printers sold deponent and his partner 1,000 Bibles, which they owned to be Holland Bibles; but they printed the first sheet, the better to complete the contrivance. Sworn this day before Wm. Beversham. The paper is intitled, "Inter Henry Hills et al, Quærent. Cancell. Magr. et Schöll. University Oxon, Peter Parker et al, Defdts." [No record relating to this paper can be found.]

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410. Feb. 15. Writs of Summons, dated this day, to the following Lords:

(*a.*) Will. Stourton, Ch^r.
(*b.*) Rob^t Carey de Hunsdon, Ch^r.
(*c.*) Mervin Tuchett de Audley, Ch^r.

1685.

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411. May 10. E. Anglesey.—Writ of Summons, dated 8 May, to James E. Anglesey, who took his seat this day. L. J., XIV. 92.

412. May 19. Garter's Roll.—A perfect Catalogue of the English nobility, according to their respective precedencies, signed by Sir Wm. Dugdale, Garter, and delivered by him to the Clerk of the Parliaments this day. *Parchment Collection.*

413. $\frac{\text{May 19.}}{\text{Nov. 14.}}$ Test Roll. — Roll of signatures of Lords to the Declaration in the Test Act of 1678, between these dates. *Parchment Collection.*

414. $\frac{\text{May 19.}}{\text{Nov. 14.}}$ Oaths Roll.—Roll of Peers who took the oaths between these dates. *Parchment Collection.*

415. May 19. Writs of Summons, dated 14th Feb. 1684–5, to the following Lords, who took the Oaths, or their Seats, or were introduced this day:—

Took the Oaths (L. J., XIV. 4–5).
(*a.*) Richard Butler de Weston, Ch^r.
(*b.*) Robert Sutton de Lexington, Ch^r.
(*c.*) Charles Lucas de Shenvile, Ch^r.
(*d.*) John Coventry de Alesborough, Ch^r.
(*e.*) Charles North de Kirtling and North Grey de Rollston, Ch^r.
(*f.*) Vere Essex Cromwell, Ch^r.
(*g.*) Henry Yelverton de Grey, Ch^r.
(*h.*) Thomas Morley and Mont Egle, Ch^r.
(*i.*) Thomas [Kenn.] L. Bp. Bath & Wells.
(*k.*) Robert [Frampton] L. Bp., Gloucester.
(*l.*) Francis V. Newport.
(*m.*) William E. Kingston-upon-Hull.
(*n.*) Thomas E. Rivers

Took their Seats. (L. J., XIV. 8.)
(*o.*) Charles E. Manchester.
(*p.*) John Berkeley, Ch^r.
(*q.*) Henry Booth De la mere, Ch^r.
(*r.*) Thomas Jermyn, Ch^r.

Introduced (L. J., XIV. 5–6.)
(*s.*) Francis North de Guilford, Ch^r.
(*t.*) James D. Ormond, Steward of the Household.
(*u.*) Edward Henry E. Litchfield.
(*v.*) Daniel E. Nottingham.
(*w.*) James E. Abingdon.
(*x.*) Edward E. Gainsborough.
(*y.*) Thomas E. Plymouth.

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(*z.*) Thomas V. Weymouth.
(*aa.*) Christopher V. Hatton.
(*bb.*) Richard Lumley, Ch^r.
(*cc.*) John Bennet de Ossulston, Ch^r.
(*dd.*) George Legg de Dartmouth, Ch^r.
(*ee.*) Ralph Stawell, Ch^r.
(*ff.*) Sidney Godolphin, Ch^r.

416. May 19. Writs of Summons, dated 20th Feb. 1684–85, to (*a*) Lawrence E. Rochester, and (*b*) George M. Halifax, both introduced this day. L. J., XIV. 5.

417. May 19. L. Butler of Moore Park.—Writ of Summons, dated 14 March 1684–5, to James Butler de Moore Parke, Ch^r., who took the Oaths this day. L. J., XIV. 4.

418. May 19. L. Churchill.—Writ of Summons, dated 14 May, to John Churchill de Sandridge, Ch^r., introduced this day. L. J., XIV. 6.

419. May 22. Writs of Assistance, dated 21 May, to (*a*) Alexander, Earl of Murray, and (*b*) John, Viscount Melfort, both in the kingdom of Scotland. *Endorsed* as brought in this day. [They were Secretaries of State for Scotland.]

420. May 22. Clandestine Marriages Bill.—Amended * draft of an Act disabling minors to marry without the consent of their fathers of guardians, and against their untimely marrying after the decease or their fathers.—"Whereas Minors, having or expecting considerable estates, real or personal, are daily subject to be inveigled or forced away from their fathers or guardians, and thereupon do contract matrimony with persons unsuitable, before they are of years capable to dispose of themselves with that discretion which is requisite, and notwithstanding the severities of former laws, yet there being no provision to annul such marriages, wicked persons presume they shall afterwards obtain the consent and reconciliation of friends, and are thereby encouraged to the said evil practices; for prevention whereof for the future, and to frustrate all untimely marriages by minors, after the decease of their parents, by the contrivance or consent of their guardians, be it enacted by the King's Most Excellent Majesty, with the advice and consent of the Lords Spiritual and Temporal† and Commons in Parliament assembled, and by authority of the same. (§ i.) That from and after the *feast of St. Michael the Archangel next*, It shall not be in the power of any son being under the age of eighteen years, nor in the power of any daughter being under the age of sixteen years to marry him or herself, or to make any matrimonial contract of any kind whatsoever, except his or her father, in case he be then living, or his or her guardian or guardians, after the decease of the father, or the major part of them if more than two, shall be present and consenting thereunto, or shall have given consent by writing signed in the presence of two or more credible witnesses precedent to such marriage; But all such minors without such consent or being present, are hereby made incapable and disabled to marry or make any matrimonial contract; And all marriages and matrimonial contracts that after the *said feast of St. Michael the Archangel* shall be made without such consent or being present as aforesaid shall be and are hereby

* The additions to the draft are shown by italics, the omissions by square brackets.

† "and Temporal" added as an amendment in C. W. H. to the Bill of May 1678 (M. S. Min., 14 June 1678).

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enacted to be null and ipso facto void to all intents and purposes whatsoever.* § ii. And be it further enacted that after the death of the father and mother, it shall not be in the power of any son of such deceased father and mother, being under the age of sixteen years,† to marry himself, or make any matrimonial contract, although with the consent of his guardian or guardians, nor shall it be in the power of any daughter of such deceased father and mother, being under the age of fourteen† years, to marry herself, or make any matrimonial contract, although with the consent of her guardian or guardians; But that notwithstanding such consent, all pretended marriages of such minors after the death of their fathers and mothers under the said respective ages of sixteen years, if sons, and fourteen years, if daughters, shall be and are hereby enacted to be null and ipso facto void to all intents and purposes whatsoever. § iii. And be it further enacted that in case of any pretended marriage had by such minor against the true intent and meaning of this Act, no right or title to any goods or chattels, or to any dower or tenancy by the courtesy, or to demand any letters of administration or any benefit of any law or custom whatsoever, shall accrue by reason of any such pretended marriage; And it shall and may be lawful for the father or guardian or any other friend of any such minor to prosecute in the name of any such minor, or in his own name, in any Ecclesiastical Court, where the matter may be cognisable, any cause of jactitation of marriage, or other suit, whereby to have such pretended marriage declared null and void, and without any let or contradiction of any such minor, during such time as such minor shall continue under the respective ages wherein he or she are disabled to contract matrimony according to the true intent and meaning of this Act. § iv. And be it further enacted‡ that if any guardian shall be any way contriving, privy, or consenting to any such pretended marriage or matrimonial contract of any minors contrary to the true intent and meaning of this Act, that thereupon such guardian shall lose and forfeit all his right, title, and interest to the custody or guardianship of any such minors, *and their estate real and personal*, and the same shall remain and be in the other guardians or guardian that was not contriving, privy, or consenting to such marriage, if there be any such, and if there be no such, then the said custody and guardianship *of the said minor's real and personal* (*sic*) shall come and be, and is hereby vested in the next of kin to such minor that is of full age, to whom the estate of such minor cannot [immediately] descend by course of inheritance, and shall also forfeit *to the value of one moiety of the said minor's personal estate, and also to the value of three years' rent of his, her, or their real estate*, to be recovered in any of his Majesty's Courts at Westminster, by action of debt, bill, plaint, or information wherein no essoign, protection, or wager of law shall be allowed, the one moiety to the King's Most Excellent Majesty, his heirs and successors, and the other moiety to the informer.§ [§v] §vi. And be it further enacted

* An amendment was proposed to be added here first, but afterwards omitted, providing "that if either of the parties, being above 21, shall marry any minor contrary to the intention of this Act, the party so offending, being above the age of 21 years, shall suffer three years imprisonment without bail or mainprise." (Com. Book, 30 May, 2 June).

† In the Bill of 27 May 1678, as introduced, these ages were respectively 21 and 18; they were altered, after debate, in C. W. H., on 14 June 1678, to 18 and 16 (MS. Min. of date).

‡ On consideration of this clause, the Committee ordered Mr. Justice Levinz to draw a clause that minors should remain in guardianship in socage, both as to real and personal estate, till 16 and 18 years. (Com. Book, 30 May.)

§ Here is marked for insertion the clause B below. *See* Annex (*b.*) below.

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that in case any domestic or menial servant shall take upon him or her to make any pretended marriage or matrimonial contract between him or herself and any the children or pupils of his or her master or mistress during such their minority, and in such manner as that the same is by this Act declared to be invalid, null, and void, that then and in every such case such servant, being lawfully convicted thereof, shall be committed to prison, there to remain by the space of three years in some House of Correction in the county where the said offence was committed, without bail or mainprise, and there to be kept to hard labour, and receive correction in the same manner as rogues and vagabonds ought to have by course of law, unless for his redemption he shall pay or sufficiently secure the payment of the sum of *one thousand pounds, to be recovered and disposed of as aforesaid*, And in case he shall pay or sufficiently secure the said sum, then to be committed to the Common gaol, there to remain for the space of three years without bail or mainprise. [§vi] §vii. And be it further enacted by the authority aforesaid, that whosoever, not being a household servant in the family, shall inveigle *and seduce*, and marry *or cause or procure to be married*, any such minor, *contrary to the meaning of this Act, to him or herself or any other*, he or she so marrying a minor, *or causing or procuring such minor to be married*, shall forfeit *to the value of one moiety of the said minor's personal estate, and also to the value of three years' rent of his, her, or their real estate*, one third part whereof shall be to the informer, and the other two parts to the King's Majesty, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's Courts of Record, wherein no essoign, protection, or wager of law shall be allowed, and shall also suffer three years' imprisonment in the Common goal, without bail or mainprise.* [§vii. And be it further enacted by the authority aforesaid, That if any person having or pretending to have power to grant licenses of marriage, shall wilfully and knowingly grant license for marriage to be had contrary to the tenor and purport of this Act, every such person for the first offence shall forfeit the sum of , whereof one moiety to the King's Majesty, and the other moiety to him or them that will sue for the same by action of debt, bill, plaint, or information in any of his Majesty's Courts of Record, wherein no essoign, protection, or wager of law shall be allowed, And for the second offence shall likewise forfeit the said sum of , to be recovered in like manner, and shall also lose and forfeit his office by reason whereof he was impowered to grant licenses of marriage, and all other Ecclesiastical promotions, and be disabled for ever after to hold that or the like office or any other ecclesiastical benefice or promotion whatsoever, or to be Chancellor or Commissary to any Bishop or Judge of any Ecclesiastical Court. And if any person or persons being or pretending to be in Holy Orders, shall wilfully and knowingly officiate in such marriage, every such person for the first offence shall forfeit the sum of , whereof one moiety to the King's Majesty, and the other moiety to him or them that will sue for the same, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's Courts at Westminster, wherein no essoign, protection, or wager of law shall be allowed, and for the second offence shall likewise forfeit the sum of , to be recovered in like manner, and shall also lose and be deprived of all his

* The clause that follows, § vii. of the Bill as introduced, was postponed on 30 May after debate, and Mr. Justice Levinz was directed to draw another pursuant to the debate. The clause prepared by him, (*see* Annex (*b.*) below, Clause A.,) was substituted by the Committee on 2 June. Com. Book of dates.

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ecclesiastical benefices and promotions whatsoever, and they shall be ipso facto void as if he were naturally dead, and be made incapable of any ecclesiastical benefice, cure, or promotion whatsoever for the future. Provided always that no lapse shall incur upon any avoidance made by this Act until six calendar months after due notice given to the patron of such avoidance. And if any person shall maliciously and wilfully personate the calling or order of a minister, priest, or deacon, not being in Holy Orders by lawful authority, and shall officiate in any such or any other marriage, and be thereof lawfully convict, every such person shall for the first offence forfeit , and shall be committed to prison, there to remain by the space of three years in some House of Correction in the County where the said offence was committed, without bail or mainprise, and there to be kept to hard labour and receive correction as rogues and vagabonds ought to have by course of law, and during the said three years shall stand in the pillory at such times and in such places in the said County as the Court before whom such conviction was, shall for public example think fit to order, and for the second offence shall suffer death as a felon without benefit of clergy.] [§ viii.] § ix. Provided always that where [the City of London or] any [other] city or corporation have right to the guardianship or custody of any orphan, their consent in writing under their common seal to any marriage shall be sufficient within this law. [§ ix. Provided also that no marriage shall be impeached by virtue of this Act where the parties shall quietly cohabit during their lives or until their respective full ages of one and twenty years, if males, and eighteen years, if females, without any actual separation or suit commenced in some of his Majesty's Ecclesiastical Courts for declaring the nullity of such marriage during such their minority, but that all such marriages shall be taken to be had with due consent according to the rules and provisions of this Act.] § x. Provided also that where the father of any minor shall by his last will or any other writing signed and attested [as abovesaid] *by three or more credible witnesses*, testify his approbation or consent to any marriage to be had by any of his children, and such marriage be accordingly had after his death, That such marriage shall be as valid as if he had been living and present consenting thereunto." [Read 1ª this day. L. J. XIV., 11. The amendments, reported from the Select Committee on 3 June, were referred that day to a Committee of the whole House (L. J., XIV. 29), with E. Huntingdon in the chair, who reported on the 4th some further alterations, which were agreed to (*ib.* 31). The proceedings in C. W. H. on the 4th are given in MS. Min. of date, from which it appears that a clause concerning bringing appeals, which had been originally drawn by Mr. Justice Levinz, and rejected by the Select Committee, was again offered and rejected. On the third reading on 5 June, a Proviso was added (L. J. XIV., 32) concerning the reading of the Act in Churches, etc. (MS. Min. 5 June). The Lords reminded the Commons of the Bill on the 26th (L. J. XIV., 60), but it dropped in H. C., after being Committed by 171 to 96 on the 18th (C. J., IX. 740). The House was adjourned on 2 July. (L. J., XIV. 71). The Bill is based originally on the Bill of 1677, as then amended. *See* Calendar, 9th Report. App. No. **395**].

(*a.*) 3 June. Lords' Amendments in Committee, reported this day. Com. Book, 30 May, 2 June.

(*b.*) 3 June. Paper (appended to preceding) containing clauses B and A. Clause B, inserted as § v. of the Bill, is as follows:—"And be it further enacted that from and after the feast of Saint Michael the Archangel next ensuing, all children, males and females, after the death of their fathers, having any real or

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personal estates, nor being married, and whose fathers shall not have made any disposition of the guardianship or custody of them in their life-times by virtue of and according to any former law or laws, shall be together with their estates real and personal in the custody and guardianship of their next friend, to whom estates of inheritance cannot descend from them till their respective ages herein mentioned, that is to say, females till the age of sixteen years, and males till the age of eighteen years; And the said next friends are hereby enacted to be their guardians till the said respective ages, and shall and may maintain such actions and in such manner and to such purposes as guardians appointed by their father in pursuance of the statute made in the twelfth year of the late King Charles the Second may or ought to do. Provided that such friend shall, before he or she enter upon the possession or estate of such minor, find security in the High Court of Chancery or some other Court of Record, to be responsible for the said estate, and in default thereof, some other near friend, that shall give such security, shall be the guardian or guardians of such minor or minors as aforesaid."

Clause A, inserted as § viii. of the amended Bill, is as follows:—"And be it further enacted, that if any person or persons, having or pretending to have power to grant, make, or seal licenses to marry, shall wilfully or knowingly grant, make, or seal any license for any marriage to be had contrary to the intent and true meaning of this Act, or if any person shall counterfeit or forge any license for marriage or any certificate of the consent of any father, guardian, or guardians, by means whereof any marriage shall ensue, or if any person or persons being in Holy Orders, shall wilfully and knowingly officiate in any such marriage, or if any person or persons, not being by lawful authority in Holy Orders, shall maliciously and wilfully take upon himself to officiate, and shall officiate in any such marriage or in any other marriage, all and every the person and persons so offending shall be guilty of felony, and shall suffer as felons without benefit of clergy.* [The above two clauses were drawn by Mr. Justice Levinz, by direction of the Committee, and added to the Bill on 2 June, Clause B being carried by 8 votes to 1. Com. Book, 2 June.]

421. May 23. Esselbron's Naturalisation Act.—Amended draft of an Act for the naturalisation of John Esselbron, Otto Geertz, David Becceler and others. [Read 1ª this day: Royal assent 16 June. 1 Jac. II. c. 2. in List of Private Acts 8vo. L. J. XIV., 13, 44. Amended in Committee by adding the names of John Thomas Butler, Sarah Newsham, John Miller, Peter Hacker, Bartholomew Adolph Hart, John Engelbert Teshmaker, William Henry Cornelius, Benjamin and John Haskins Stiles, David Gansel and Francis Durant de Brevall, and by omitting the names of Adrian Lofland, son of Henderick Lofland by Adriana Peters his wife, (no certificate of his having taken the Sacrament being produced,) and Peter Jacobson, an infant one year old, brother of Jacob Jacobson. Com. Book, 27 May.]

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* Here is added, but afterwards struck out, "And be it hereby declared that the "Ordinary in whose diocese the offenders, being in Holy Orders, shall be convicted "do take care that such persons in Holy Orders be degraded before they be "executed."

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Annexed :—

(*a.*) 27 May. Certificate that Mr. Cornelius Beckhoff, Mr. Otto Geertz, Mr. David Becceler, and Mr. John Schröder, belonged to the German Church, in Trinity Lane, Queenhithe, and had received the Sacrament. *Dated* 17 May. [Produced before the Committee this day. Com. Book of date.]

(*b.*) 27 May. Certificates that the following persons had received the Sacrament according to the usage of the Church of England, viz^{t}. :—

1. John Esselbronn, of St. Mary Abchurch, London.
2. Dirck Vanderstegen.
3. Ralph Duyrcope } of St. Clement's, London.
4. Peter Bourgois }
5. John Van Hatten } of St. Mary Bothaw, London.
6. Gillis Been }

[All *dated* 18 May. Produced before the Committee this day. Com. Book of date.]

(*c.*) 27 May. Similar certificate for John Thomas Butler, of Westminster, Gent. [*Dated* 17 May. Produced before the Committee this day. Com. Book of date.]

(*d.*) 30 May. Similar certificate for John Gill, of St. Michael's, Crooked Lane, Merchant. [*Dated* 18 May. Produced before the Committee this day. Com. Book of date.]

(*e.*) 27 May. Similar certificates for the following :—

1. Sarah Newsham, wife of Chas. Newsham, of Chadshunt, Warwickshire, Esq.
2. Peter Hacker.
3. William Hendricx Cornelius.
4. John Engelbert Teshmaecker.
5. Bartholomeus Adolphus Hardt.
6. John Müller.

[All *dated* 25 May. Produced this day before the Committee. Com. Book of date.]

(*f.*) 28 May. Similar certificate that John Müller took the Sacrament on 28 May.

(*g.*) Similar certificate for P. Hacker, B. A. Hardt, W. H. Cornelius, D. Gansel, and J. E. Teshmaker. *Dated* 27 May and produced that day. (Com. Book.)

(*h.*) Similar certificates for J. Gill and Francis Durant de Breval, D.D. *Dated* 28 May, and produced on 30th. (Com. Book).

(*i.*) Affidavit of Theodore Jacobson, that Jacob Jacobson, named in the bill, is the son of the deponent's brother Henry, by Edell Sherenbourg, his wife, who are both Protestants; that the said Jacob is an infant, of about five years of age, and was born in Hamburgh, and, if his father and mother live, will be bred up in the Protestant religion; that deponent, having no children of his own, intends to leave him great part of his estate and naturalises him now, with intent to bring him up in England and make him capable of inheriting the same, and that he will take care, if he lives, to educate him as a loyal Protestant. [Sworn 26 May].

422. May 23. Wingate *v.* Astry.—Petition and Appeal of Sir Francis Wingate and Lettice Wingate, widow. Complain of a decree made in Chancery on appeal from the Commissioners of Charitable Uses, and ordering petitioners to pay to Respondents, as trustees for the poor of certain lands in Harlington, valued at *5l.* 9*s.* per annum, the arrears

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after that rate for 40 years. Petitioners insist that the lands were their inheritance, and had been quietly held for 100 years, and that although they and their ancestors had paid four nobles per annum to the churchwardens of Harlington, such payment was not for rent, but was a voluntary gift, and had been employed for mending the clock and clock-house, catching moles, and other occasions of the parish not within the intent of the statute or for the relief of the poor, and therefore ought rather to have been presumed to have been a charge created by some of Petitioner's ancestors upon their lands, than the lands to have been presumed to have been originally the church lands. Pray that Respondents may be ordered to answer. L. J., XIV. 14. The appeal was heard and dismissed on 12 June. L. J., XIV. 38. Counsel for Appellants were *Mr. Williams*, *Mr. Holt*, and *Mr. Vernon*; and for Respondents, *Mr. Rawlinson*, *Mr. Phillips*, and *Mr. Hutchins*. The L. Keeper, after argument, reported the case. The House, being moved that the Attorney General might be allowed as Counsel for Respondents, refused it. MS. Min., 12 June.]

Annexed:—

(*a.*) 2 June 1685. Answer of Sir James Astry, Knt., and the Churchwardens of the parish of Harlington. The Court of Chancery, after full investigation, found the lands liable to the charity, but finding that the parish, till about three years last past, had accepted the yearly payment of four nobles, remitted the arrears till the time of the last payment, and ordered the trustees to make a long lease at the rate of 5*l.* 9*s.*, which is rather less than the true value of the lands. No profits were ever applied to the catching of moles, but went to the relief of the poor. Pray that the appeal may be dismissed with costs. [Brought in this day. MS. Min.]

423. May 23. Barrett v. Desmener.—Petition and Appeal of the Hon. Richard Barrett, of Bellhouse, in the county of Essex, Esq. Petitioner, having an estate of 800*l.* a year in Ireland, and living there in 1659, accepted the offer of Respondent, a Dublin shopkeeper, to receive his rents, and the last account in 1681 showed a balance due to Petitioner of 1,031*l.* On Petitioner suing him for the remainder of that balance, Respondent for the first time claimed a set off of 100*l.* a year for 23 years, on account of a pretended salary as Petitioner's agent. A trial being ordered to determine what allowance Respondent deserved for his trouble, although no agreement for any salary existed, the jury awarded him 1,150*l.*, representing an allowance of 50*l.* a year, as a set off against the 599*l.* 15*s.* 3*d.*, found due to Petitioner by the Master's report, and the Court of Chancery decreed accordingly. Prays that this decree may be reversed, and all proceedings stayed. L. J., XIV. 14. MS. Min., 3 June.

Annexed:—

(*a.*) 9 Nov. Answer of John Desmener. Respondent acted as Petitioner's agent at Petitioner's request, not doubting that he would receive a salary of at least 100*l.* a year, but forebore to claim it until Petitioner made unfair demands upon him and entrusted the agency to other hands. The verdict supporting his claim to arrears of salary was made after due trial, and was afterwards affirmed by the Court. Prays that the Appeal may be dismissed.

424. May 23. Fitton v. E. Macclesfield.—Petition and appeal of Alexander Fitton, Esq. States that Petitioner having for many years been possessed of an estate of 2,000*l.* a year, by virtue of a settlement

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made by Sir Edward Fitton, Charles, L. Gerrard, (now E. Macclesfield), brought a bill in Chancery on 28 May 1661, setting forth that Sir Edward Fitton in 1634 made a settlement of the lands, with power of revocation, on himself and his lady and heirs male, remainder to the said E. Macclesfield and heirs male, and afterwards another settlement under which Petitioner claims with like power of revocation; and that by will he revoked Petitioner's settlement, and in 1643 died; and complaining that Petitioner set on foot a lease for 99 years, which ought to be set aside and not hinder him from proving his title. That Petitioner answered denying the will, and adding that Sir Edward, to secure the estate in his name and family, released the power of revocation, whereby Petitioner had an absolute estate. L. Gerrard controverted Petitioner's deed of release, and the cause being heard in 1662, the Lord Chancellor Clarendon directed an issue at law to try the validity of the deed, at which trial, upon the evidence of one Granger (a known cheat), a verdict passed for L. Gerrard, and an order was made accordingly, allowing Petitioner within one year to try his right upon the deed, but giving no direction for the trying the same. Petitioner prayed further time that he might be better prepared, but was refused. The trial being only on the validity of the deed poll, the merits of the whole cause could not be tried, and Petitioner is thus concluded of his inheritance by one single trial. The question was determinable in a Court of Common Law, not of Equity, and the only thing that the Court of Chancery ought to have done was to set aside the lease for 99 years. Petitioner being thus stripped of his possession, his deeds taken from him, and himself deprived of the liberty of his person for many years, was unable to seek for relief till of late, when he brought his bill of review, on hearing which the Lord Keeper declared that he would not have made such a decree if he had been then judge in the cause; but Petitioner had no relief. Appeals from the said decree and subsequent proceedings. [Read this day, and referred to the Committee for Petitions (L. J., XIV. 14.). The Pet. Book contains no entries between 1677 and 1688. On 25 May the petition was read again, and upon a debate, that arose upon reading the order of reference, the question, whether the words "or in any other Court" shall be left out of the order? was proposed, but not put. The question was then put as in L. J., XIV. 15 (MS. Min. 25 May). On the 27th the Committee reported the Petition as fit to be heard (L. J., XIV. 20). On 4 June the MS. Min. has the following: "Mr. Attorney allowed to be of counsel for Mr. Alexander Fitton, by the consent of the E. of Macclesfield, as a private person. Nothing done on it." The cause was heard on 5th June. *Mr. Rawlinson*, *Mr. Porter*, and *Mr. Phillips* appeared for the Appellant. Mr. Phillips admitted that the matter of the libel was ill done, but urged that the House at that time never tried the right. *Mr. Williams*, *Mr. Keck*, and *Mr. Hutchins* appeared for the Respondent. The Lord Keeper having stated the case, after debate the Appeal was dismissed. (MS. Min. 5 June, L. J., XIV. 32. *See* Vernon's Rep. i., 287, O'Flanagan's Lives of the Lord Chancellors of Ireland, i. 465–68, and Ormerod's Cheshire, iii. 291 *note*.]

Annexed:—

(*a*.) 3 June. Answer of Charles, Earl of Macclesfield. Sir Edward Fitton and Respondent being in the actual service of Charles I. in the late wars, Sir Edward (according to his frequent declarations), 16 Aug. 1643 duly made his will in the presence of Doctor Smallwood (late Dean of Lichfield), Francis

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Hollinshead, Gent., and other persons, and thereby revoked all former settlements, and declared Respondent (being one of his co-heirs at law) to be his sole heir, to whom he devised all his estate ; and he soon after died without issue, leaving the will in Dr. Smallwood's hands. Respondent's Agents thereupon entered and received some profits, and Respondent had administration granted to him with the will annexed. But the wars increasing, and Respondent continuing in the King's service, he was forced out of the kingdom for his loyalty, and continued with the late and present King in exile until the Restoration. In which times the Fittons, having set up several titles to the estates, and got in some incumbrances of Sir Edward Fitton's, and there being several suits between them and the other co-heirs, got possession by the settlement of 1641. Appellant, in his answer to the Bill of 1661 did not controvert the reality of the will. At the trial a jury of gentlemen of reputation, after full evidence (besides that of Granger, one of the agents in the forgery), found the deed to be forged ; and though the will was not directly in issue, yet the same, and Sir Edward Fitton's frequent declarations of kindness and leaving his estate to the Respondent, were fully proved and offered, among other facts, as circumstantial evidence against the pretended deed. In an action of ejectment brought by the Fittons against Respondent, which was tried on 2 Nov. 1663, the will came directly in question, and was fully proved by Dr. Smallwood, and Mr. Hollinshead and other witnesses, all since dead ; whereupon the Fittons stood upon the deed poll, which was again found to be a forgery, and a verdict was found for Respondent. After this trial the Court of Chancery, by an order and decree of 28 Nov. 1663, confirmed the former decree and ordered it to be executed, and the deed poll made void, since which time Respondent has had possession of the estate, but never got any of the profits received by the Fittons, nor any costs. Appellant with his accomplices having published false and libellous reflections on Respondent's title and proceedings in the said suits, and the same being taken notice of, the House of Lords on 9 July 1663 declared and adjudged the same to be a false, odious, and infamous libel, and ordered Appellant to be fined and be committed till he produced Granger, and to find sureties, with his accomplices, for their good behaviour during life, the Respondent to proceed at law for reparation. Respondent accordingly prosecuted Fitton in King's Bench for forgery of the deed, but, at his humble supplication, surceased his prosecution. Appellant, attempting all means to invalidate Respondent's title, caused an information of perjury to be filed against Dr. Smallwood and Mr. Francis Hollinshead, and assigned the perjury in their proving the will; which came to be tried at King's Bench in 1668, and the defendants were found not guilty. After all these proceedings, and the Appellant's acquiescence therein, though at liberty enough, during most of the time, to travel into remote parts, and publicly to solicit and manage his own and other persons' causes, the Appellant was in 1684 admitted to his Bill of Review by the present Lord Keeper, who, after hearing no less than ten counsel for him, declared that he saw no reason to reverse the decree, and dismissed the Bill. Prays the judgment of the House whether they will be any further troubled in the matter, and that the Appeal may be dismissed with costs.

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425. May 23. Votes of the House.—Letter from O. Wynne to John Browne, Esq., Clerk of the House of Lords, desiring a transcript of the Lords' votes to be sent every day to the Earl of Middleton, that his Lordship (as Secretaries of State always did) might transmit them to the King's Ministers abroad, and assuring him that they should not go to hands where they ought not. *Dated*, Whitehall, 23 May 1685. 1685.

426. May 23. / Nov. 14. Test Roll.—Roll of signatures of Peers to the Declaration in the Test Act of 1673, between these dates. *Parchment Collection.*

427. May 26. Garter's Roll.—A Catalogue of the Nobility, signed by Sir Wm. Dugdale, Garter, and delivered to the Clerk of the Parliaments by him. It is identical with No. **412.** [*Endorsed* with this day's date. The House was called this day. L. J., XIV. 17.]

428. May 26. E. Derby's Bill.—Draft of an Act for the restoring of William George Richard, Earl of Derby, to the manor of Mould and Mouldsdale and the castle and manor of Hawarden and the advowson of the church of Hawarden in the county of Flint, the manor of Bidstone in the County Palatine of Chester, and the manor of Broughton and the bailiffwick of Lonsdale in the County Palatine of Lancaster. The preamble recites that James, late Earl of Derby, grandfather of William George Richard, now Earl of Derby, was for his loyalty to the King put to death in October 1651 by the late usurpers, and all his estate forfeited and sold for treason pretended against those usurpers; and in particular the manor and lordships of Mould and Mouldsdale, Hope and Hopesdale, and the castle and manor of Hawarden, otherwise Harden, and the advowson of the church there, all in the county of Flint, the manor of Bidstone in the County Palatine of Chester, and the manor of Broughton and the Bailiffwick or Wapentake of the hundred of Lonsdale in the County Palatine of Lancaster were for small considerations, for the most part paid by doubled bills of soldiers' debentures (usually bought at 54 or 55 per cent. or under) to the then usurped powers, sold and conveyed to the several persons hereafter named, by pretence of and according to the direction of certain pretended Acts, by colour whereof the pretended purchasers being in possession, and Charles, late Earl of Derby, father of the now Earl, thereby reduced to very great straits and necessities, the said Earl Charles was, for about a year's real value or less, received by him, prevailed upon to make several deeds of release and further conveyances of the said premises to the respective purchasers, viz^{t}. of Mould and Mouldsdale, Hope and Hopesdale, and of the castle, manor, and advowson of the church of Hawarden, to George Twissleton, Andrew Ellis, Humphrey Ellis, Sir John Trevor and John Glynn, Serjeant-at-law, afterwards Sir John Glynn, Knight, the said Sir John Glynn claiming by some contract by him made for the said manor and premises in Hawarden, with the said Trevor, Andrew and Humphrey Ellis and Twissleton, the first purchasers hereof from the usurpers; of Bidstone to William Steele, Esq., and his heirs; and of Broughton and Lonsdale to Edward Lee; and as all the said manors and premises now are and ever since the said pretended purchases have been enjoyed under the same conveyances and releases (save only the manor of Hope and Hopesdale from Lady-day 1683, of which the now Earl of Derby, about that time, obtained the possession by virtue of a recovery thereof at law by him in Hilary term 1682 obtained, as heir in tail thereof, the reversion thereof still being in the Crown), and the same conveyances from the said Earl Charles being obtained for so small consideration in the time of the late troubles, while the said Earl Charles

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lay under such great necessities and oppressions, there is great justice that the said purchasers should content themselves with the receipt of their purchase money and interest for the same, and that upon satisfaction thereof, the said premises should be restored to the now Earl, and to that end the said respective purchases should be accounted only in the nature of mortgages; The Bill therefore enacts that the aforesaid lands, with the exception of Hope and Hopesdale, shall be vested in trustees to satisfy, out of the rents of the said lands or by sale thereof, if necessary, to the heirs, etc., of the said purchasers all such sums as upon account in any suit in Chancery, brought for that purpose by the present Earl or the heirs, etc., of the said purchasers, within (blank) next after the present session of Parliament, shall be found to have been paid by the said purchasers to the late usurping powers and the said Charles, late Earl of Derby, for the said premises, with interest and a discount of all the moneys received by them out of the estate, in which account all taxes and rents, and all moneys laid out by the purchasers in repairing or improving the estate shall be allowed them; and so much of the purchase money as was paid by the purchasers in doubled bills is to be computed according to the then reputed value of such bills; and the moneys paid by Andrew and Humphrey Ellis, Twissleton, and Sir John Trevor upon their contract is to be looked upon as satisfied by the moneys paid to them by Sir John Glynn, as far as the same will extend, and Sir John Glynn is to have allowance for the same, as the original advancer. The trustees, after so raising and paying the moneys, shall stand seized of the respective manors in trust for William George Richard, Earl of Derby, his heirs and assigns. Provided that if it shall be found on such account that there have been more moneys raised out of the estate, since the purchase thereof from the usurping powers, than will suffice to discharge the purchase money and interest to the purchasers, none of the latter shall be compelled to refund any part of the overplus to the Earl or his heirs, etc. Then follows a saving clause for the King, &c., and for holders of leases for not more than 21 years in possession or of leases for one, two, or three lives, or holders by copy of Court Roll, according to the custom of the said manors, whereupon the ancient and accustomed rents or more were reserved. [Read 1ª this day. L. J., XIV. 17. Dropped after a second reading. On 12 June the House, on motion, appointed the 15th to hear E. Derby and Sir W. Glynn. MS. Min.]

Annexed:—

(*a.*) 30 May. Petition of Sir William Glynne, Bart. The manor of Hawarden was, at the earnest solicitation of Charles, late Earl of Derby, and his Countess, and by the particular intercession of the late Lord Keeper Bridgeman, sold by the Earl to Petitioner's father for nearly 11,000*l.* *bonâ fide* paid, which was its full value, and is now settled on Petitioner and his children in consideration of a very considerable marriage portion. No attempt was made in the Bill of 1662, to which the Royal assent was refused, to contest Petitioner's title to the estate. Prays for further time to prepare himself for the hearing. L. J., XIV. 23.

(*b.*) 30 May. Petition of John Langley, Gentleman. Petitioner claims the manor of Mould and other lands in Flintshire by virtue of fines, recoveries and other good assurances derived from Andrew Ellis, who purchased the estate from the late Earl about 1652 for full consideration. The Bill proposes that Petitioner should account for the profits in Chancery a ‡if they were only a mortgage, whereas there is neither error in the conveyances, nor crime in the purchasers. Prays for further time to prepare for the hearing. L. J., XIV. 23.

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429. May 26. E. Pembroke's Bill.—Draft of an Act for settling the Manors and Lands of Philip, late Earl of Pembroke, on Thomas, now Earl of Pembroke, charged with the payment of the debts of the said late Earl and with the raising of ten thousand pounds for the portion of the Lady Charlotte Herbert, his daughter. Sets forth that William, late Earl of Pembroke and Montgomery, half brother to Philip, late Earl, also deceased, and to Thomas, the present Earl, esteeming his half brother Philip, who was next to succeed to the dignity, to be an ill husband and likely to waste the estate, directed that by his will Philip should be made only tenant for life, and that the property, in default of male issue, should pass to the present Earl. But by a mistake in the will, due to unskilful penning, and contrary to the testator's directions, the half-brother Philip was made tenant in tail, and he obtained from the King a grant of the reversion of the manor of Ramsbury and other lands, in exchange for other lands of equal value, to go along with the honour on his death without male issue, and by the sale of part of the said manor he raised 32,000*l.*, part of which sum being applied towards payment of the Earl William's debts, the said Philip procured the Earl William's executors to convey all the lands of the said Earl William in Wales and England to him and his heirs, with remainder to the present Earl; and after these conveyances, Philip being very wasteful and expensive, suffered several recoveries of his lands in the counties of Glamorgan, Monmouth, and Wilts, part of which he sold thereupon to raise money for his debts, and on his marriage with Henrietta, now Countess Dowager, he settled all his lands in Glamorganshire for paying her a yearly jointure of 1,500*l.*, and having by her only a daughter, the Lady Charlotte, he declared his constant intention to be that the present Earl should have all his lands in the said three counties, leaving only 10,000*l.* for his daughter as her marriage portion, and in pursuance of that intention sent for counsel, a few days before his death, to prepare his will accordingly. Death, however, prevented this being done, and he died intestate, leaving debts far beyond his personal estate, and amounting to nearly 20,000*l.* His widow obtained letters of administration, but as she and her daughter, an infant, reside in France, those debts are not likely to be paid, (as the present Earl would wish to see done, for the honour of the family) and law-suits have arisen and are likely to arise between the Countess Dowager and the present Earl, in respect of the estates originally intended for the latter, which have now descended to his niece. The Bill therefore enacts that, to enable the present Earl to pay the debts of his predecessor Philip, and to raise 10,000*l.* portion for the Lady Charlotte, all the estates in the counties of Glamorgan and Monmouth, belonging to the late Earl Philip at his death, shall be vested in the present Earl and his heirs, who, with his executors, &c. shall also be possessed of all the said Philip's personal estate, notwithstanding the title claimed thereto by the Countess Dowager as his Administratrix, subject to payment of the said debts and portion to the Lady Charlotte, on her reaching the age of sixteen, or being married, and in the meantime to a yearly payment to her of 400*l.* for her maintenance. The lands in Wilts shall be settled on the present Earl, and in default of male issue, on James Herbert, the son of the present Earl's late uncle, and in default of male issue on his part, on Philip Herbert, his brother, and in default of male issue on his part, on Henry, Earl of Powys, and in default of male issue on his part, on the right heirs of William, late Earl of Pembroke, brother of the present Earl, for ever. The estate is to be subject to the payment of the Dowager Countess' jointure of 1,500*l.* a year, and of 2,000*l.* apiece for Katherine and Rebecca, sisters of the present Earl, to be paid them on

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their marriage, and 120*l.* apiece yearly to be paid to them meantime, as well as of 4,000*l.* for the said Katherine and Rebecca, and 240*l.* yearly for interest thereon. [Read 1ª this day: dropped after a second reading on the 27th. L. J., XIV. 17, 20.]

430. May 26.—Eyre v. Eyre.—Petition and appeal of Thomas Eyre, of Hassop, Esq., William Inge, Esq., Henry Balgay, Esq., and divers others, freeholders and inhabitants of the towns of Hope, Bradwall, and Wormhill, in the County of Derby. Charles I., in right of the Duchy of Lancaster, was seized of the Manor and Forest of High Peak, in the County of Derby, and several waste grounds, parcel whereof, wherein are the towns of Bowdon-Middlecale and Chappell in Le Frith, and divers others, besides the towns of Hope, Bradwall, and Wormhill, in which last three towns the freeholders and tenants have, time out of mind, had common of pasture and turbary and other profits upon the waste thereof. Thomas Eyre [of Gray's Inn] Esq., the Relator, Respondent, upon a pretended discovery that a moiety of the waste in the said forest belonged to the Crown, obtained a lease or grant thereof at 50*l.* per annum during the Queen Dowager's term, and interest therein (of which nothing has been paid), and 100*l.* yearly in reversion, and thereon exhibited two informations against the tenants of Bowdon-Middlecale and Chappell in Le Frith and other hamlets, and obtained decrees allotting him several thousand acres, far beyond the value of the rent reserved, pretending that enough would be left for those entitled to the rights of common. Not content with that, he exhibited a distinct information, at the suit of Sir John Heath, late Attorney-General for the Duchy, on behalf of the late King and the Queen Dowager, and Sir James Butler, Her Majesty's Attorney-General, and others, against Petitioners and others, freeholders and tenants in the three towns of Hope, Bradwall, and Wormhill, suggesting that in 1639 or 1640 the latter petitioned the late King to disafforest the forest of High Peak, for which he was to have a moiety of the waste there, and that the same was accordingly disafforested, and divided between the Crown and the Commoners by certain agreements made 40 or 50 years ago, and praying to have a moiety of the waste of those three towns, containing over 3,000 statute acres, and to have an execution of the said pretended agreement by decree of the Duchy Court. Petitioners in their answer insisted that such great improvements had formerly been made for the Crown out of the waste of those three towns that there was no surplusage of common, and that as to those towns the forest had time beyond memory been disafforested, and the inhabitants had purchased back part of those improvements from the Crown, and let the same lie open and be used as common in regard of the straitness of waste ground; and that in memory of man they had never been troubled with deer or forest laws, nor ever petitioned for any disafforesting, but were rather losers than gainers by the disafforesting, and positively denied any such agreement for enclosure. The cause was heard before the Chancellor of the Duchy, assisted by the L. Chief Justice Jones and three Barons of the Exchequer, the main question being whether the freeholders of the three towns had made such an agreement or not, and if an agreement, how far the same was proper to be decreed in Equity, and the Court declared that the Relator, Mr. Eyre, had no sufficient evidence of any such agreement whereon to ground a decree, and advised a trial at the Exchequer Bar on the issue whether any such agreement had been made or not. The Relator, declining a trial, moved for and obtained a rehearing by the Chancellor, assisted by three Barons of the Exchequer, and the Chancellor,

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contrary to the opinion of Chief Justice Jones and Baron Atkins, and without any further evidence on the part of the Relator, decreed him such a moiety of the commons as he, upon an *ex parte* survey, had caused to be taken, thereby allotting him in some of the towns four parts in five for a pretended moiety, quantity and quality considered, and directed Petitionors to fence against his part, and pay full costs. Pray that this decree may be reversed, and all proceedings thereon stayed. The Appellants signing, besides those above mentioned, are Thos. Balgay, Nicholas Thornhill, Jo. Hurler, Jo. Wagstaffe, Rob. Hallom, John Bocking, Anth. Hall, Geo. Hallam, Adam Bagshaw, Nicholas Stones, Anthony Longden, Geo. Bagshaw, Rich. Boner, Humfry Thornhill, and Thos. Fletcher. Counsel signing are *Ro. North*, *Charles Porter*, *T. Rawlinson*, *Geo. Hutchins*, and *Rich. Levinz*. L. J., XIV. 18. [The Appeal was referred on 27 May to the Committee for Privileges (L. J. XIV. 20) who reported on 10 June (*ib.* 37). The Committee considered it on 4 June, after giving notice to the trustees for the Queen Dowager, and allowing the Appellants also to attend. The *L. Privy Seal*, one of Her Majesty's trustees, said, It is the King's common, or will be, after the Queen. The petition is against Mr. Eyre; it ought to be against the proper persons, the King and Queen. There is no Bill of Review in this case. There ought to be the same parties here that are in the Duchy, namely, the Attorney General and the Queen's trustees. *Mr. Bagshaw* (Appellant Eyre's solicitor, his Counsel not having come): We have no title to a Bill of Review in this case. We cannot perform without giving up our inheritances. *Question*, Whether a Bill of Review lies in the Duchy, and be necessary to be proceeded in? Neither the King nor Queen are concerned in this business. No Bill of Review lies in this case. Where the performance is fatal, a Bill of Review is never required. *Mr. Rawlinson* (Counsel for Appellant Eyre): There have been many appeals from Chancery where there has been no Bill of Review. They withdraw. The Committee then decided by 12 votes to 10, to hear Counsel on the 6th inst. on this point only, whether the Appeal lies regularly in this House before a Bill of Review has been brought in the Duchy Court, where the Decree complained of was made. On the 6th accordingly, Counsel were called in at the Bar. *Mr. Rawlinson* (for Appellant Eyre): A Bill of Review lies only where there is error in law in the body of the decree. If there be error in judgment, a Bill cannot be brought. A Bill of Review in this case cannot be brought. E. Feversham and Mr. Watson's case; no Bill of Review in that case; nor in Dacre and Chute's case. I have a list of 36 instances. Sir Henry De La Poole's case v. Okeover, Mildmay v. Ducket, Noy v. Fortescue, 4 April 1679, Grosvenor v. Carteret, Sir John Edwards v. Mrs. Howe, 20 Nov. 1680, Winckle v. Hodgkins, 1673; Pawlet v. Pawlet (the decree not enrolled); Coleby v. Smith, Clarke v. Searle, Harvey v. Harvey. *Mr. Hutchins* (for Appellant) gives instances of the meaning of error in law. There is no error in law upon this decree. We can bring no Bill of Review, nor be relieved but before your Lordships. *Mr. Cresset* (for Appellant): It is no injury to the other side to bring our Appeal before a Bill of Review. *Mr. Williams* (for Eyre the Relator): We are agreed that where Bills of Review lie, they ought to be brought. If there be an ordinary remedy in an ordinary Court, the suitor can have no resort to your Lordships. If a Chancellor of the Duchy make a mistaken decree, he is subject to all the Courts in Westminster Hall. Holt and Owen's case in Lord Hobert. An error in fact cannot be assigned for a Bill of Review. A Bill of Review will lie upon an error in judgment. No decree was ever appealed from the Duchy before

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a Bill of Review. Scofield v. Ratcliffe, now depending. *Mr. Powis* (for Eyre the Relator): A Bill of Review is the proper remedy in all these cases, and is the usual course. A writ of Error cannot come hither till it has been brought in the same Court. *Mr. Williams:* Grants there never was an Appeal from the Duchy to the King's Bench. The Committee then ordered to report as in L. J., XIV. 37 (Priv. Book June 1, 4, 6). The Appeal was first heard by the House on 17 June (L. J., XIV. 46). *Mr. Rawlinson* (for Appellant Eyre): The forest was divided into three parts. An improvement in Crookhill is held under the Crown. There is no evidence of this agreement; it is only a pretence. We challenge them to say where? when? or who made the agreement. *Mr. Porter* (for Appellant): The Commissions were taken out before the war. We say no man can be bound in his inheritance without a trial. We have the records to show that these lands have been formerly improved. There is no proof of any agreement. *Mr. Hutchins* (for Appellant): Reserves what he has to say to answer. *Sir Thos. Hanmer* (for the Queen Dowager): Speaks as to proper parties in the Appeal. The Queen and Crown ought to be parties. *Mr. Williams* (for Respondent): The bill was filed first in the name of Eyre the relator, and then it was resisted. The King should be a party. *Mr. Bowes* speaks as to the proper parties; that it was in the Trustees' name for the Queen; Mr. Eyre as a relator. *Mr. Hutchins* answers as to proper parties. They tell the House they are not proper; we have reason.—The other Counsel speak to the same point, as the King's parties, etc. They say the King or Queen can never reap any benefit by this decree. *Sir Thos. Hanmer* replies as to what they say as to the King and Queen. Counsel withdraw. *The Lord Keeper* reports that the Counsel on the Relator's side say these are not proper parties. He opens the case. *Mr. Attorney* heard as to the King's being concerned as a party. The House then made the order for amending the Appeal as in L. J., XIV. 46. (MS. Min. 17 June.)—On 23 June the hearing was resumed. *Mr. Rawlinson* and *Mr. Porter* having spoken for Appellant, the *Attorney-General* (for the King and Queen Dowager) states the case as to the King's right. They say it is founded on this agreement; they cannot pretend any Act of Parliament to disafforest it. The Court is not bound to refer anything to a trial at law. *Serjeant Birch* (for Respondent): They can produce a Commission and juries sworn. *Mr. Williams* (for Respondent): We dispute the right of common. It is agreed to be a forest on all hands. There are decrees for us, which stand untouched. These three towns are within the forest. *Mr. Attorney* says he will prove by record the disafforestation. They read the Record to the bounds forest, 3 E. 3; 22 Nov. 1634, they read an Order out of Equity; 1639, read a Commission; 26 June 1634, a letter read, Windebank. A Commission in 1869 read, 15 April. They read several depositions. A letter read of Woodroffe 10 May 1639. Asked if it were agreed that the county were to be at the charge. Ordered, That this House will proceed to hear the reply for the Appellant on Thursday at 9 o'clock. (MS. Min. 23 June, L. J., XIV. 55.)—On 25 June, on question whether the Cause shall be now called in, it was Resolved in the negative. Contents 28, Proxies 5, Not-Contents 27, Proxies 6. Tellers, L. Cornwallis and L. Godolphin. Ordered to hear the cause to-morrow, and no other business to intervene. (MS. Min. 25 June).—The further hearing was not resumed until 12 Nov. *Mr. Rawlinson* (for Appellant): Hope, Wormhill, and Bradwall are the three towns in question Forty years no agreement appears. *Mr. Hutchins,* (for Appellant):

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We have a copy of the grant of the decree made against purchasers. *Mr. Attorney-General* (at the table, for the King): Cites 33 Hen. VIII. The deer lay in these places of Hope, Bradwall, and Wormhill. Their inclosures will keep more cattle by half than formerly. Sheep could not feed there. The decree is not founded upon an agreement. It is disafforested by Act of Parliament. In 10 Car. I. they petitioned. We have the petition. A moiety would be a proportion that all the Commoners did agree to. In 1639 or 1640 these towns sent up Commoners to treat with the King's officers. *Mr. Serjeant Birch* (for the King): They cannot deny that their fences ought to be kept at a just height. These causes were heard in Westminster Hall. A record read; they agree to it. Mr. Secretary Windebank's letter to the Chancellor of the Duchy read. The Commission read. 16 Car. I., a deposition read. John Shirt's deposition, read. Thos. Stevenson's deposition, read. Geo. Sauffe, fol. 60. John Wright 66 Int. The return of a Commission, read. Adjourned till tomorrow (MS. Min. 12 Nov.) On the 13th *Mr. Rawlinson* proceeds to reply. That the lands are granted out to Mr. Hall: all the evidence they read is in 1639. *Mr. Hutchins* follows on the same side. A Patent read, and sworn to by Thos. Bagshaw, 7 May. Easter Term 1685, Mr. Hutchins reads. 7 July, 16 Car. I., they read a Commission to Sir J. Cusos. Maps affixed, and Returns made and read. Depositions read of Ralph Lomas, Rob. Middleton (aged eighty years) and Henry Holt, (aged 83 years). Latin grants read, 21 Jac., 29 Jac., 1 June. Having ended their evidence, the *Attorney General* spoke as to the grant to Hall, that it was void, being under the Seal; it ought to be under the Duchy. Crookhill belonged to the Abbot of Welbeck. A grant in Latin read, 13 Edw. I. *Mr. Hutchins* heard in reply (MS. Min. 13 Nov.). On the 14th the L. Chancellor reported the cause. Mr. Justice Street was heard, and leave was given to protest. The Appeal was then dismissed. (MS. Min. 14 Nov., L. J., XIV. 81)].

Annexed:—

(*a.*) 12th June 1685. Answer of Thomas Eyre, Esq. [of Gray's Inn]. The waste lands referred to are in the towns of Bowden Middlecale, Chapel in le Frith, Mellor, Shalcross, Fairfield, Ferneley, Castleton, Hope, Bradwall and Wormhill. Respondent does not know or believe that the freeholders or tenants have ever had any right of common or turbary, but if they had, it was on sufferance or connivance of the officers of the forest before it was destroyed, for Respondent has seen from ancient records that they have been amerced for getting turf, and restrained by an injunction from usage of common of pasture and turbary. Respondent in 1674 discovered to the now Queen Dowager's Council her right to a moiety of all the waste lands in the forest, being part of Her Majesty's jointure, and thereupon obtained grants from Her Majesty and trustees at a yearly rent of 50*l.*, determinable on failure of payment, and likewise a grant of the reversion and inheritance of the wastes at a yearly rent of 100*l.* The acres decreed to him are mostly bogs and heathy, black, moorish soil, not capable of improvement, but the waste ground belonging to the three towns now in question is quite the contrary, and lay very convenient for the feed of the deer. It is in proof that about the year 1634, the freeholders, &c., in the towns petitioned the king to disafforest and improve the waste grounds, and a commission of enquiry accordingly issued out of the Duchy, and a jury, of

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whom Mr. James Tunsted was foreman, presented that the King might improve one moiety of the wastes for his right of forest, and the tenants to have the other moiety for their claim of common. Mr. Woodroff, a counsel at law, who had land in Hope of about 400*l.* a year, was intrusted by the inhabitants of the towns in the forest to treat with Lord Newburgh, then Chancellor of the Duchy, for the King's part of the commons, and by his advice, in 1639, agents from the towns agreed with the Chancellor that the King should have one moiety for his disafforesting; and in pursuance of that agreement, the King destroyed his deer and forest, and so performed his part. The commons were surveyed, and the King's moiety in most of the towns was set out and divided. The arbitrators, Mr. Rollinson and Mr. Serjeant Birch, were nominated by the Chancellor at the Appellant's request, who afterwards refused to abide by their decision. The Appellant ought not to be allowed to procced, without making parties thereto the attornies of the king and Queen Dowager, viz., Lord Chesterfield and the Chief Baron of the Exchequer, their surviving trustees. Signed by *W. Williams*, as Counsel. [Brought in this day MS. Min.]

(*b.*) 22 June. Joint and several answers of Sir James Boteler, Knt., Her Majesty's the Queen Dowager's Attorney General, for and on behalf of her said Majesty, the Right Hon. Henry, Earl of Clarendon, Lord Privy Seal, Philip, Earl of Chesterfield, the Hon. William Mountague, Lord Chief Baron of His Majesty's Court of Exchequer, the surviving trustees for the King and the said Queen. Respondents, the trustees, leased the lands in question in 1674 to the Respondent Eyre, for a term of 30 years, to which lease they refer. *Signed* Thomas Hanmer.

(*c.*) 22 June. Answer of Sir John Heath, Knt., his Majesty's Attorney-General of the Duchy of Lancaster, for and on behalf of his Majesty. Refers to the proceedings below, and prays to be dismissed. *Signed* Jo. Heath. W. Williams.

(*d.*) 18 Nov. Petition of Appellants. Their Lordships have affirmed the decree complained of, whereby Petitioners are to part with a moiety of the commons in the three towns, which was never laid out otherwise than by a Commission ex parte, prosecuted by the Respondent, on which Commission he has laid out for his moiety four parts in five, quantity and quality considered. Pray that the part of the decree which gives Eyre the moiety laid out by him ex parte as aforesaid, may be discharged, and that the commons may be divided equally and at equal charges. *Signed* Rowland Eyre. [Received this day. Nothing done in it. MS. Min. No entry in L.J.]

431. May 27. L. Stafford's Attainder Reversal Bill.—Amended* draft of an Act for reversing [of the Viscount Stafford his Attainder]. *the Attainder of William, late Viscount Stafford.* Whereas William, late Viscount Stafford was impeached of high treason [upon pretence of conspiring the death of his late Majesty King Charles the Second of blessed memory, the subversion of the Government, &c., and called to a public and solemn arraignment and trial before the Peers in Parliament, where he made a particular defence, yet, the cause of just exception to the principal evidence against the said Viscount at

* The additions are shown by italics, the omissions by square brackets.

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that time not appearing, he was found guilty, and judgment thereupon given against the same late Viscount at Westminster the 7th day of December, in the 32nd year of his said late Majesty's reign by Heneage, Lord Finch, Baron of Daventry, Lord High Chancellor of England, being by his said Majesty's special Letters Patents constituted Lord High Steward for that present occasion, but the constant denial of the said treason by the said late Viscount, and those very witnesses, upon whose evidence he was attainted, in subsequent trials swearing in plain opposition one to another, where they all could not be in the right, and Titus Oates, from whose testimony the accusation against the said Viscount took rise, being since convicted by two fair and unanimous verdicts of voluntary, wilful, and corrupt perjury committed in several trials before that time, and for the same punished according to the law, do sufficiently conclude the innocence of the said late Viscount, and that if the infamy of those witnesses had then appeared, that the said judgment would not have been given against him;] *for conspiring the death of his late Majesty King Charles the Second of blessed memory and the subversion of the government, and was arraigned and tried before the Peers in Parliament for the said High Treason, and was found guilty thereof and condemned and executed; And whereas it is now manifest that the said late Viscount Stafford was innocent of the treasons laid to his charge, and that the testimony whereupon he was convicted was false;* Be it [therefore declared and] enacted by, &c., that the said judgment and attainder, and all and every Act and Acts of attainder of treason of or against the said late Viscount Stafford shall be and is now reversed, repealed, revoked, annulled and made utterly void to all intents and purposes, as if the same had never been. *Noted* JAMES R. I do allow of the bringing in of this Bill. [Read 1ª this day, L.J., XIV. 19. Laid aside in the Commons* after Commitment, C.J., IX. 731.]

Annexed:—

(*a.*) 3 June. Lords' Amendments to the Bill. [Reported from C. W. H. this day. M.S Min. of date. The amendments, which were agreed to, are marked on the text above.]

(*b.*) 3 June. Amended preamble, marked A. [This preamble was offered to the Committee of the whole House this day, and agreed to, after the record of Oates' trial had been read and after a motion for the previous question. (M.S. Min. of date.) The matter of the preamble had been adjourned the previous day. L. J., XIV. 28. A note in MS. Min. of 10 June states, "L. Stafford's Bill to be brought. L. Treasurer."]

432. May 27. E. Ossory's Act.—Amended draft of an Act to enable James Lord Butler of Moore Park and Earl of Ossory in the Kingdom of Ireland, to make a jointure to such woman as he shall marry. [Read 1ª this day: Royal Assent 16 June, L. J., XIV. 20, 44. 1 Jac. II. c. 1. in list of Private Acts, 8vo. Of the two amendments made in Committee (L. J., XIV. 24) one was to substitute three for two witnesses to the consent in writing; the other was merely clerical (Com. Book 1 June); and the title "Lord Butler of Moore Park" was added on Report. (MS. Min. 1 June).]

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* "Parce que dans le préambule" says Barillon "il y a des mots insérés qui semblent favoriser la religion catholique; cela seul a retardé la rehabilitation du Comte de Stafford dont tous sont d'accord à l'égard du fond." Fox, App. p. 110. But *see also* Hallam, Const. Hist. iii. 78, *note*. The preamble in question (Annex *b.*) appears in italics in the text above.

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433. May 30. Williams v. Reed.—Petition and Appeal of Walter Williams of the Middle Temple, Esq., and Elizabeth his wife. States that on the Petitioner Elizabeth's marriage in 1671 with William Reed, he and his father Richard Reed the younger, the Respondent, joined in making a lease for eight years of two meadows in Mitton, in Worcestershire (called Forty Acres and Ox Meadow) worth 100*l.* a year to Sir Wm. Gregory and Rich[d] Whitherstone, in trust for her, in lieu of some lands that were to be part of her jointure, which were not to come into possession until 1679. William fell ill and contracted great debts, and finding himself not likely to recover, he informed his wife that he was entitled to the two meadows after the 8 years, for the residue of a term of 99 years, commenced in 1612, and died, leaving his wife executrix of his will. Appellant's father-in-law, the Respondent, claimed the premises as having been only mortgaged, he having purchased the equity of redemption for 250*l.*, while Appellant claimed them as the heiress of the alleged mortgagee. Appellants appeal from the Decree of redemption made in 1639, and from one in 1680 founded upon it, and pray that Richard Reed, Sir Wm. Gregory, and Richard Whitherstone may be ordered to answer. L. J., XIV. 22. [The cause was heard on 26 March 1689 (L. J., XIV. 162). *Mr. Dobins* and *Mr. Hutchins* were Counsel. The former (for the Appellant) stated that Sir William Gregory did not insist on his privilege, and L. Chandos afterwards acquainted the House concerning him. The L. Privy Seal having stated the case, and what Counsel had urged for putting off the hearing, the House dismissed the Appeal (MS. Min. 26 March).]

Annexed:—

(*a.*) 6 June. Joint and several Answer of Sir William Gregory, Knt., and Richard Witherston, Gent. A term of years in the two meadows was assigned to Respondents by Elizabeth's former husband, William Reed, and others, as trustees for Richard Reed; but Respondents are not parties to either of the decrees complained of. Pray that the Appeal, so far as it concerns them, may be dismissed with costs. [Brought in this day. MS. Min.]

(*b.*) 15 June. Answer of Richard Reed the Younger, Esquire. John Reed, by deed of 1 April 1612, demised the two meadows to his sister Katherine for 99 years, and the lease was decreed by Chancery in 1639 to be a mortgage for 1,000*l.* Respondent in 1652 bought the benefit of that decree from his uncle Edward Reed, to whom his sister Katherine had given the lease for 250*l.*, but he refrained from putting it into execution. On his son William's marriage with the Appellant Elizabeth, William, who was the heir general of the family, in consideration of another estate of inheritance settled on him in marriage by Respondent, assigned in 1670 his interest in the two meadows to Respondent, and has thus debarred himself and Appellant, his executrix, from any appeal against the said decree, the assignment not being made in pursuance of that decree, as suggested. Respondent made his settlement on William, in 1671, as promised, and to supply part of his estate so settled, which was not to come in possession till after 8 years, made a lease of 8 years of the two meadows to Trustees for William and his wife. The decree of 1680 in Respondent's favour was not in pursuance of the former decree, as suggested, but chiefly upon the assignment made by William Reed to Respondent, and was confirmed on rehearing; and finally, their Bill of Review having been dismissed, the Appellants in October 1681 released all their claim to Respondent by deed.

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Prays that the Appeal may be dismissed with costs. [Brought in this day. MS. Min.]

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(*c.*) 9 Nov. Petition of Appellant Williams for an early day for hearing. L. J., XIV. 74.

(*d.*) 26 Feb. 1688–9. Similar petition of same. L. J., XIV. 133.

(*e.*) 13 March 1688–9. Petition of same, praying that Respondent may be ordered to produce at the hearing the will of Katherine Reed, and the assignments to the Trustees. L. J., XIV. 147.

(*f.*) 17 Jan. 1689–90. Petition of same. Sir Wm. Gregory one of the Respondents, being a member of the House of Commons, Appellant durst not proceed to a hearing, for fear of a breach of Privilege; and Respondent Reed took advantage of this to have the Appeal dismissed. Sir William is no longer a Member, having been made a Judge of the King's Bench. Petitioner therefore prays leave to renew the Appeal. L. J., XIV. 418.

(*g.*) 3 Jan. 1690–1. Petition of same, praying that his Appeal may be retained, and determined by the Barons of Exchequer or other Judges, as was done in like cases in 1624. L. J., XIV. 615, almost *in extenso*.

(*h.*) 9 Jan. 1692–3. Petition of same. The Barons, being equally divided in opinion as to the regularity of the reference to them, have made no determination of the cause. Prays the cause may be heard. L. J., XV. 177. [The matter was referred to a Select Committee, who considered some precedents supplied by Appellant (see Annex *k*). Com. Book 10 and 13 March 1692–3. L. J., XV. 288. M.S. Min. 14 March 1692–3.]

(*i.*) 18 Nov. 1693. Petition of same. The consideration of the Report of the Select Committee was interrupted by the prorogation. Prays the cause may be heard. L. J., XV. 301, 303.

(*k.*) Precedents of References of Causes by the House of Lords to others in effect to hear and determine. They range from 3 Hen. V. to 25 May 1669. In every of these cases and in every Cause referred back to the Chancery to be reheard, of which there have been many, there is an implied power to hear and determine, but not to do it so perpetually final, but that there may be an appeal to the Lords from such determination if occasion be, for such a power is called *derivativa non primitiva potestas*, a power to ease the Lords when they think fit, or to supply the recess of a Parliament to prevent delay of justice until another Session, but not to deprive their Lordships of their Supreme Judicature in *dernier resort*. Appended to preceding paper.

(*l.*) 29 Dec. 1693. Petition of same. On 22 Nov. Petitioner moved the House to order Reed to produce an assignment from Anne Brent to Gregory and Witherstone, but could not say it was read at any hearing below. Has now ascertained it was so read, and prays it may be produced at the Hearing. L. J., XV. 328. See also M.S. Min. 22 Nov. 1693.

434. May 30. Murder at Sea Bill.—Draft of an Act for the Trial of Murders where any person is feloniously stricken, wounded, or poisoned upon the high sea, and dies thereof in any county of this realm. "Forasmuch as by the laws and customs of this realm (as they now stand), if any person be feloniously stricken, wounded, or poisoned upon the high sea, and after dieth in any county within this realm, no sufficient indictment thereof can be framed and found or taken in the said county where such person died of such striking, wounding, or

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poisoning, for that the jurors of such county can take no knowledge of such striking, wounding, or poisoning being done or committed upon the high sea, nor can any appeal lie for such murder or manslaughter for the reason aforesaid, nor can such offence be tried in the Court of Admiralty of this realm, for that the person so stricken, wounded, or poisoned upon the high sea, died in some county within the realm; by reason whereof such murderers and manslayers escape without punishment; For the reformation therefore of the law in such cases, and the better preservation of mens' lives from such wicked and murderous actions, and for the bringing of such murderers and manslayers to just and condign punishment, Be it enacted by the King's most Excellent Majesty, by and with the advice and assent of the Lords Spiritual and Temporal and Commons assembled in Parliament, and by the authority of the same, That where any person or persons shall hereafter be feloniously stricken, wounded, or poisoned upon the high sea, and shall die of such striking, wounding, or poisoning in any county within this realm, that then an indictment thereof, found by jurors of such county where the death shall happen, whether it shall be found before the Coroner upon the view of such dead body, or before the justices of the King's Bench, or other justices, or Commissioners who shall have authority to enquire of murders and manslaughters, shall be as good and effectual in the law as well against the principal and principals as against every accessary to the same offences, both before and after the committing of the same, in whatsoever county or place the accessary or accessaries shall be guilty thereof, as if the striking, wounding, or poisoning had been committed or done in the same county where the party so stricken, wounded, or poisoned, shall die, and where such indictment shall be so found, any law or usage to the contrary notwithstanding; And that the Justices of Gaol Delivery and Oyer and Terminer in the same county where such indictment at any time hereafter shall be taken or found, and also the Justices of the King's Bench where the party so stricken, wounded, or poisoned shall die thereof in the county where they shall sit, and such indictment shall be found before them, or, being elsewhere found, shall be removed before them, shall and may proceed upon the same in all points and in such manner and form as they should or ought to do in case such felonious striking, wounding, or poisoning upon the high sea, and death thereof ensuing as aforesaid, had been committed, done, or happened in such county where such indictment shall be taken or found; And be it further enacted by the authority aforesaid, That every such person to whom an appeal of murder shall be given by the law, may commence, take, and pursue an appeal of murder in such county where the party so feloniously stricken, wounded, or poisoned upon the high sea, shall die thereof, as well against the principal and principals as against every accessary to the same offence, in whatsoever county or place the accessary or accessaries shall be guilty of the same; and the justices before whom any such appeal shall be commenced, taken, or pursued, within the year and day after such murder or manslaughter committed or done, shall proceed against all and every such principal and principals, accessary and accessaries in the same county where such appeal shall be so taken in like manner and form as if the same offence or offences of principal and principals, accessary or accessaries had been committed or done in the same county where such appeal shall be commenced or prosecuted, as well concerning the trial by jurors of the same county upon the plea of Not Guilty, pleaded by such offender or offenders, or otherwise, any law or custom to the contrary heretofore used in any wise notwithstanding." [Read 1ª this day. L. J., XIV. 21. The Committee were assisted by

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the King's Advocate, the Secretary of the Admiralty (Mr. Pepys), the L. C. Justice Jones, and Mr. Baron Atkins (L. J., XIV. 25). On 2nd June evidence was given that where a party was struck at sea and died beyond sea, it was triable before the Constable and Marshal; where he died in any county or at sea, the murderer was triable by the Admiralty. It being then proposed to have a clause for the party accused to bring his witnesses at his trial, Sir Thos. Exton, Mr. Pepys, and Mr. Baron Atkins, being present, were desired to prepare one for that purpose. On the 4th Sir Thos. Exton and Mr. Baron Atkins reported that they had not yet agreed on the clause, and were desired to meet Mr. Pepys, and offer one at the next meeting. On the 6th Mr. Baron Atkins offered the clause accordingly, which was agreed to be further considered on the 11th (Com. Book of dates). Beyond this no further proceedings of the Committee are recorded, and the Journal contains no entry of their having reported, the next notice of the bill being an order of the 22nd for the House to go into Committee on the bill on the 23rd (L. J., XIV. 54), when the C. W. H. was put off till the 24th (*ib.* 55), the House, however, later on, adjourning till the 25th (*ib.* 56). No further proceedings].

Annexed:—

(*a.*) 6 May. Clause concerning witnesses, as follows:—"And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for any Judge of the Admiralty, or for any Justice of Peace of the County where such person shall so die, to issue out his or their warrant to cause such offender to be arrested and apprehended and brought before him or them or before any other Judge of the Admiralty or Justice of Peace of the said County, who are hereby empowered to take examinations, and to commit such offender to the common goal for the said county, or otherwise to take bail according to law, and to bind over witnesses for the King to appear and give evidence against the said offender at the next Assizes or General Goal delivery which shall be next after such witnesses shall return from beyoud the seas into this realm." [Offered by Mr. Baron Atkins to Committee this day. See notes to preceding.]

435. May 30. Williams v. Mellish.—Petition and Appeal of Elizabeth Williams, the widow and administratrix of Roger Williams, deceased. Petitioner's late husband was retained by Respondent in 1667 as master of a small ship, the "Valentine," and continued so till 1673. The ship was taken by a Dutch man-of-war, on her way from Oporto to London. Roger Williams having sued Respondent in the Admiralty for his wages, Respondent obtained an injunction in Chancery to stop proceedings, and on settling the account the Court overcharged Williams with certain sums, and abated what was due in respect of factorage, etc.; and so in lieu of 320*l.* due, for his own and the other seamen's wages, with interest, Williams was decreed to pay Respondent more than 430*l.* Williams died intestate leaving Appellant and children very slenderly provided for. Pray for restitution of what has been mistakenly decreed against Williams. Counsel signing are Jam. Cardrow and Wa. Williams. L. J., XIV. 22. [*Sir William Williams* and *Mr. Walter Williams* argued the case for the Appellant, and *Sir Charles Porter* for the Respondent. MS. Min. 18 March 1688. Vernon's Rep., i. 117, 166.]

Annexed:—

(*a.*) 30 May 1685. Copy order of Service on Respondent to answer. L. J., XIV. 22. [Appended to next paper.]

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(*b.*) 12 June 1685. Petition of Respondent, Edward Mellish, Merchant, for further time to answer. L. J., XIV. 38.

(*c.*) 18 June 1685. Answer of Respondent. Williams was intrusted with a cargo worth 867*l.*, on board a ship, bound from Plymouth to Newfoundland to buy and catch fish, and from thence to Respondent's factor at Oporto, whose orders he was to follow. Respondent sued Williams to account for the cargo, and give satisfaction for breach of orders, and recovered 230*l.* damages with costs of suit. Williams' exceptions to the Master's report were overruled, and his Bill of Review was dismissed by the now Lord Keeper. The mattter has been fully examined. Prays that the Appeal may be dismissed with costs. *Endorsed* as brought in this day.

(*d.*) 9 Nov. 1685. Petition of Appellant for an early day for hearing. L. J., XIV. 75.

(*e.*) 26 Feb. 1688-9. Petition of same for an early day for hearing. L. J., XIV. 133.

(*f.*) 13 March 1688-9. Petition of Marmaduke Roberts. Prays to be joined as an Appellant, having married Elizabeth Williams. L. J., XIV. 147.

(*g.*) 26 April 1689. Petition of Marmaduke Roberts. Respondent's Counsel stated at the hearing that the decree appealed from was made by consent, and produced an alleged order of the Court of Chancery in proof of his statement. Their Lordships, giving credit to this, dismissed the Appeal, although the statement was not made on oath, and Mr. Williams, Appellant's Counsel, solemnly denied it. Prays for relief, and that Respondent may be ordered to answer. *Undated*, but evidently the petition referred to in L. J., XIV. 193. [From MS. Min. and the endorsement on Annex (*i.*), it appears that on 8 June the matter of this Petition was moved by the Lord President, and after long debate put off *sine die*. No entry of this in L. J.]

(*h.*) Affidavit of Walter Williams that he never consented to the decree, nor offered nor yielded to pay the money decreed, until after Roger Williams had been attached and reported in contempt. *Sworn* 19 April 1689. [Appended to preceding.]

(*i.*) 31 July 1689. Petition of Marmaduke Roberts. Prays to be re-heard on the point of the alleged consent, which is denied by the certificate annexed. L. J., XIV. 301. [Counsel were heard on this point on 5 August, and the petition dismissed, *ib.* 304. For notes of the arguments see MS. Min. of date. *Sir Bartholomew Showers* appeared for Appellant.

(*k.*) Certificate of Wm. Williams, Counsel for the Appellant, that the Appeal was dismissed on the suggestion of Respondent's Counsel that the decree complained of was made by consent, without hearing the merits of the cause. *Dated* 8 May 1689. [Appended to preceding.]

(*l.*) 31 July 1689. Petition of Marmaduke Roberts. Prays that the matter of his Petition, which was adjourned on 8 June (*see* Annex (*g*) above) after it had been opened by the Lord President, may be further considered. *Endorsed* as read this day together with preceding petition.

(*m.*) 1 May 1689. Affidavit of John Hoskyns, Solicitor of Appellant, denying the alleged consent.

(*n.*) 11 Nov. 1689. Affidavit of Will. Houghton, Solicitor for the Respondent Mellish, that he had served a copy of their Lordships' order of 5th August on the Appellant, and demanded his

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10*l.* costs, but had not been paid them. [Appended to next paper.]

(*o.*) 13 Nov. 1689. Petition of Edward Mellish, that the Appellant may be compelled to pay the 10*l.* costs, as ordered by the House. L. J., XIV. 340.

(*p.*) 31 Dec. 1689. Petition of Marmaduke Roberts and Elizabeth his wife. Pray that the matter of the alleged consent, which is a matter of fact, may be tried by a jury. *Endorsed* as read this day and rejected. [No entry in L. J. or MS. Min.]

436. June 1. Smith v. Coleby.—Petition of Alexander Smith, Anthony Fothergill, and Thomas Lambert. The Petitioner Smith purchased in 1678 of John Coleby, Esq., the manor of Dale Grainge, in Yorkshire, for 4,300*l.*, of which 1,300*l.* was then paid, and the remainder secured, and the other Petitioners were, by agreement, to have proportions of the estate on good consideration. After John Coleby's death, his son and heir, Alexander, sued Petitioners in Chancery to set aside the purchase, on the ground, among others, that it was too cheap, and Petitioners were ordered to re-convey the property to him, notwithstanding that John Coleby had levied a fine to the Petitioner Smith. Prays that the decree may be reversed, and Coleby ordered to answer, and proceedings stayed. L. J., XIV. 24. [*See* Vernon's Rep. i. 206. Counsel at the hearing were *Mr. Porter* for the Appellant, and *Mr. Williams* and *Mr. Rawlinson* for the Respondent. MS. Min. 17 Nov. 1685.]

Annexed:—

(*a.*) 10 June. Petition of Hayford Wainewright, Gent., on behalf of Alexander Coleby, Esquire, praying for longer time to answer. L. J., XIV. 36.

(*b.*) 16 June. Answer of Alexander Coleby. The purchase, conveyance, and fine were obtained from his father by fraud. The purchase money was to be paid by instalments in above seven years time, and therefore really was not more than one third of the value of the premises. Respondent tendered to Appellant the sum of 2,800*l.* in repayment, as directed by the Court of Chancery, but the Appellant refused to accept it, on pretence of some needless exceptions to the Master's report. Prays that the appeal may be dismissed. See L. J., XIV. 47.

(*c.*) 18 June. Petition of Appellants for a day for hearing. L. J., XIV. 47.

(*d.*) 9 Nov. Petition of Appellants for a day for hearing. L. J., XIV. 75.

437. June 1. Howard v. D. Norfolk.—Petition and Appeal of Charles Howard, Esq. This case, which turned on the question whether an equitable estate tail might be created in a term of years, is reported in 2 *Select Cases in Chancery*, *I Vernon*, 163, and *Pollexfen*, 223. Appellant maintains that the entail of the Barony of Graystock for 200 years was intended as a provision for the eldest of the sons not holding the earldom of Arundel, and should have been relinquished to him by his elder brother Henry when the latter succeeded his own elder brother Thomas in the earldom. Henry, however, had had it conveyed to himself absolutely by the Trustees, and had kept it. Prays that a Decree of the Lord Keeper, reversing one of Lord Chancellor Nottingham in his favour, might be reversed, and that the Duke of Norfolk and Richard Marriott Esquire might be ordered to answer. [Read this day (L. J., XIV. 26). Brought in 30 May (MS. Min.). On 13 June leave was moved for the Attorney-General to appear for Mr. Howard, but was

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refused, and the House then made the order in L. J., XIV. 40 (MS. Min. 13 June). The Appeal was heard on the 18th and 19th of June, *Mr. Williams*, *Mr. Holt*, and *Mr. Yate* appearing for the Appellant, and *Mr. Pollexfen*, *Mr. Rawlinson*, and *Mr. Hutchins* for the Respondents. At the conclusion of the argument, "the Lord Keeper [Jeffreys] reported the two days' hearing to the House" (MS. Min.), in a speech full of affronts against Lord Nottingham (Lives of the Norths, ii. 1 sqq), whose decree was then reversed. (L. J., XIV. 49.) *See also* Nos. **282** and **488.**]

Annexed:—

(*a.*) 10 June. Answer of Henry, Duke of Norfolk, Earl Marshal of England, and Richard Marryott, Esquire. The Judgment of Lord Nottingham was opposed to the opinions of the two Chief Justices and the Chief Baron. The late Duke Henry, learning that the settlement was illegal, as no such entail could be made for a term of years, prevailed on the Marquess of Dorchester, the surviving trustee, to assign the remainder of the term to Richard Marryott, who assigned it to Duke Henry, and his son, the present Duke, the Respondent, received it from his father in lieu of lands of thrice the value, to which he was entitled under his father's marriage settlement. *See* L. J., XIV. 50.

438. June 1. Onslow v. Bickerton.—Petition of Arthur Onslow, Esq., on behalf of himself and other trustees named in the Act of Parliament for payment of the debts of Sir William Clerke, Bart., deceased. Petitioner, and the other trustees under the Act of 22 Car II., employed one Burton, an attorney, as receiver, and did their best to satisfy all the creditors of Sir W. Clerke out of the estate. But one Wharrow, a tailor, not content with taking his share with the rest, insisted on being paid in full, on pretence that judgment creditors only were to be satisfied out of the moneys received, and the Court of Chancery decreed in favour of his claim, contrary to the true meaning and intention of the Act. Pray that the decree may be reversed, and that George Bickerton, the executor of Wharrow, may be ordered to answer. L. J., XIV. 24. [Brought in 30 May, MS. Min., and read this day.]

Annexed:—

(*a.*) 12 June. Answer of George Bickerton, Respondent. The Appeal is irregular, not being signed by Counsel. The Act plainly provides that only judgment debts were to be paid out of the trust. The trustees themselves are liable, the Receiver being merely their agent. Prays that the Appeal may be dismissed. [Brought in this day. MS. Min.]

439. June 1. Dufay's Naturalisation Act.—Amended draft of an Act for the Naturalizing of James Dufay, Theodore Janssen and others. Read 1ª this day. Royal Assent on 27th, L. J., XIV., 24, 65. 1 Jac. II. c. 6, in List of Private Acts, 8vo.]

Annexed:—

(*a.*) List, taken by Mr. Barker, of persons included in the Act. The list includes the names of Peter Du Mas and Isaac Du Mons, (see No. **468**), who are marked as having been sworn, but are not included in the Act, and omits the name of James Raillard, which was added by the Commons. Those who took the oaths on the 2nd and 4th (M.S. Min. of dates) are distinguished from those under age, and the names added by the Lords' Committee are in a different hand. Com. Book 5 and 6 June.

(*b.*) 6 June. Lords Amendments in Committee.

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(*c.*) 6 June. Certificate that all the persons first included in the Bill, down to and including John Maurice, but including also Mary Mell, wife of Daniel Brulon, added on 6th, and leaving out Daniel Crommelyn and all those under age, had taken the sacrament according to the usage of the Church of England. *Dated* 31 May. [This and the following certificates were produced before the Committee on the 6th. Com. Book.]

(*d.*) 6 June. Similar Certificate for James Dufay separately. *Dated* 31 May.

(*e.*) 6 June. Similar Certificate for John Chardin, not included in Annex (*c.*) *Dated* 31 May.

(*f.*) 6 June. Similar Certificate for Daniel Cromelin, not included in Annex (*c.*) *Dated* 3 June.

(*g.*) 6 June. Similar Certificates for the following persons, added this day in Committee, viz$^{t.}$:—

(1.) Francis Berry, on 20 May, at Darlington.
(2.) Paschasius Minne, on 24 May, at Exeter.
(3.) Lorentz Schnell, on 28 May, at German Church.
(4.) Michael Burghers, on 3 May, at Oxford.
(5.) Joseph Spinall, on 31 May, at St. Clement Danes.
(6.) Christianus Harell, dated 4 June, at French Church.
(7.) Jeremiah Gazuet, } on 31 May, at St. Paul's, Covent
(8.) Anna Gazuet, } Garden.
(9.) Henry le Noble, }
(10.) James le Noble, } on 3 June, at St. Martin-in-the-Fields.
(11.) Jeremiah Le Pin }
(12.) Nicholas Massy, 31 May, at St. Paul's, Covent Garden.

(*h.*) 14 June. Similar Certificate, dated this day, for James Raillard, added by the Commons.

440. June 1. Mildmay v. Mildmay.—Petition and Appeal of Henry Mildmay, Gent., and Halliday Mildmay, his only son, an infant. Dame Ann Mildmay, mother of Petitioner Henry and his brother William, since deceased, by her will in 1656, devised to Dr. Benjamin Whitchcott and others 6,000*l.* and certain leases, in trust for William for life, subject to a jointure, and after his death, in default of male issue, to the Petitioner Henry for life, with the like remainder to his sons. In 1669 William's cousin german Duckett obtained a decree in Chancery against the trustees for execution of the trust, and having received 4,393*l.* out of 7,480*l.* certified to be due, William released the same to him, and conveyed to him the rest of his estate. In 1676 William married one Mary Brewster, without any portion, and without the knowledge of the trustees, and on pretence of the consideration of a supposed agreement on the marriage, never proved, and 500*l.* portion, never paid, William was procured to revoke all power from Duckett, and make a new settlement to Brewster and others, in trust to provide a jointure for the said Mary. By colour of this settlement Mary and her trustees sued Duckett and Petitioners, and obtained a decree in 1678 for repayment of the 4,393*l.*, and the Master allowed a jointure of 150*l.* a year. In 1681, the fact of this jointure being concealed from the Court, a decree was obtained, ordering a jointure of 400*l.* to be paid to Mary by Duckett. In 1682 William died, and Petitioner, being entitled to the benefit of the trust, offered to pay the jointure of 150*l.*, but Mary refused to accept it and kept possession of Duckett's sequestered estate, by redeeming a mortgage thereon. The decree of 15 Dec. 1681 wrongly ordered the jointure to be paid out of the principal, instead of the interest in Duckett's hands. Pray that

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this decree may be reversed, and Mary Mildmay order to answer, and proceedings stayed. L. J., XIV. 24. [Brought in 30 May, and read this day. *See also* No. **34**.]

Annexed:—

(*a*.) 13 June. Answer of Mary Mildmay, widow. Respondent believes the Appeal is chiefly carried on by Duckett, who has already brought an Appeal to the House which was dismissed, and the decree confirmed. The jointure of 400*l*. was decreed at the desire and on the motion of Appellant's Counsel, and Respondent has never yet been able to receive it all. Prays that the Appeal may be dismissed. [Brought in this day. A memorandum on the 20th states that the Cause is to be heard on the "next vacant day." MS. Min. of dates.]

(*b*.) 11 Nov. Petition of Appellants for a day for hearing. L. J., XIV. 78.

441. June 1. Smith v. Berney.—Petition and Appeal of Sir James Smith, Knt., Lord Mayor of London. Petitioner, having lent on bonds 150*l*. to Richard Berney, the Respondent, and 200*l*. to one Edward Stistead, agreed to lend Berney, at his urgent request, a further sum of 150*l*., and assign to him Stistead's bond, in return for a Statute of 3,000*l*., to be defeazanced for payment of 1,500*l*. one month after the death of Berney's father, regard being had to the possibility either of having to wait a long time for his money, or of losing it by Berney's father dying in his son's lifetime. The father happened to die 13 months after this Statute, and the Respondent thereupon having brought a bill in Chancery to compel Petitioner to accept of his principal money with interest, the Lord Chancellor Nottingham decreed in his favour, and his judgment was upheld, on review, by the Lord Keeper Guildford. Prays that the decree might be reversed, and Respondent ordered to answer. The Counsel signing are *Ambrose Phillips* and *John Cressett*. L. J., XIV. 25. [Brought in 30 May, and read this day.]

Annexed:—

(*a*.) 15 June. Answer of Richard Berney. Respondent having but a small allowance, though his father possessed a considerable estate, was forced to borrow money for his support, which being known to Stistead, a person notorious for ill-practices upon young gentlemen, and a common factor or broker for tradesmen to carry on their designs upon young heirs, by disposing of their wares beyond their proper value, Stistead insinuated himself into his acquaintance, and introduced him to the Appellant, who obtained the Statute, well knowing that Respondent's father was then sick of a languishing distemper. The Lord Nottingham, in ordering the Statute to be vacated, was satisfied that there had been an ill contrivance. Appellant had in reality assigned his debt to one Samuel Blake. Prays that such infamous practices, grown more frequent than formerly, may be discountenanced, and that the decree may be confirmed. [Brought in this day. MS. Min.]

442. June 1. Skinner v. Davis.—Petition and Appeal of Thomas Skinner. Petitioner in 1657, being bound for East India, assigned to Daniel Skinner a debt of 9,000*l*., due to him from one George Walters, as a security to save him from his engagements with and for Petitioner to one Rastell, with a covenant that Daniel should make no use of the assignment till damnified, but the same to be void on Petitioner's indemnifying Daniel of his engagement. In payment of part of this

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debt, Walters sold Daniel a 99 years lease of certain lands, which the latter afterwards conveyed for 2,200*l.* to a certain Davis, though Petitioner had idemnified him on his return. Petitioner thereupon, in 1670, sued Daniel Skinner, Walters, and Davis in the Exchequer to have the extended lands and judgments assigned to him, with an account of mesne profits, but the Court dismissed Petitioner's bill against Davis, thus leaving the latter with all the lands and profits. Petitioner is advised that no bargain made between Daniel and Davis ought to stand good against Petitioner, since Davis had notice that Daniel was but a trustee for Petitioner, who ought to be put in possession of the lands. Prays that the dismission may be set aside, and Davis ordered to answer. L. J., XIV. 25.

Annexed:—

(*a.*) 29 June. Petition of John Davis, Esq. Petitioner is detained in Ireland by a trial wherein the City of London is concerned, it being in defence of a claim made by the Irish Society (for whom Petitioner is general Agent) under a grant of Charles I. Prays for further time to answer. L. J., XIV. 67.

(*b.*) 9 Nov. Answer of same. Respondent knows nothing of the accounts and transactions between the Appellant and his brother, Daniel, who, he understands, was also a creditor of Walters. He is informed that Daniel had full power to compound under his brother's assignment, and made the best terms he could. The Court below was satisfied that Respondent had paid Daniel the debt without fraud, and that Daniel had accounted to his brother for his share of the moneys received. Prays for time to fetch papers out of Ireland for his defence, and that the appeal may be dismissed with costs.

443. June 1. Disborough v. Disborough.—Petition and Appeal of Nathaniel Disbrowe [Disborough]. Petitioner's brother, John, having died in 1675, his widow Charity set up a pretended will, which Petitioner disputed, and he obtained a judgment from the Lord Primate of Ireland, in the Prerogative Court, directing administration to be committed to Petitioner and the widow. She refusing to accept it, Petitioner administered the estate alone, including the lands of Crumlin, Gurlinshingane, Burresnoe, and Ballory Brag, in Tipperary, held on lease from the Duke of York. Charity's appeal to the Court of Delegates being dismissed, she applied to the Lord Primate to be admitted into the administration, and on obtaining an order she petitioned the Lord Chancellor of Ireland for possession of the lands, and in 1680, without any Bill or answer, the Court decreed accordingly, and ordered the Appellant to repay to her the rents received by him while in possession. On his refusing to comply he was turned out of the lands, and attachments were issued against him, which have forced him to come to England. Prays that the said Charity may be ordered to answer, and the decree reversed, and that Petitioner may be at liberty, notwithstanding the attachment, to go to Ireland to fetch the records necessary for his defence. L. J., XIV. 25. [The Counsel signing are *John Cresset* and *Ambrose Philips.*]

Annexed:—

(*a.*) 4 August. Answer of Charity Disbrowe, Widow. The will was witnessed only by a servant of the testator, and by another person, who, being a Quaker, refused to take an oath, and Appellant took advantage of this fact, knowing that the Ecclesiastical Court would not admit of a will proved by only one witness, and, while Respondent had come to Dublin, entered

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clandestinely on her late husband's lands. Respondent afterwards joined in the administration, on the advice of Counsel, to prevent the Appellant from further embezzling the estate, and the Prerogative Court decreed her a moiety thereof. The lands of Cromlin, etc., were duly adjudged part of her moiety, and the Appellant, who had sold the lease of those lands before Respondent joined in the administration, having refused to disclose particulars of sale, the Court of Chancery declared that Respondent ought to have possession, and attachment was afterwards issued for his contempt. Since the order of 10 July 1682, the Appellant, with one Daniel Kerrin and others, has caused actions of ejectment to be brought against Respondent for the said lands. Prays that costs may be awarded her for this unjust vexation.

444. June 1. Sir R. Clerke v. Searle.—Petition of Sir Robert Clerke, Knt. Sir John Birkenhead, being seized in fee of four parts of six and possessed for the remainder of a term of 99 years of one other sixth part of Little Lincoln's Inn Fields, appointed by his will that all his estate therein should be sold. Petitioner, with Henry Searle, agreed with the devisees to purchase, and conveyances were made to Searle in trust as to two third parts to Petitioner and Dr. Birkenhead. The latter afterwards assigned his third part to Searle and the Petitioner. Petitioner then sold his interest to Dr. Barbon for 3,000*l.*, and brought a bill against Searle, to have his moiety of the purchased premises conveyed to him, which bill was dismissed by the Lord Keeper on 21st June 1684. Prays that Searle, Barbon, and the other defendants may be ordered to answer. Counsel signing are *William Whitelocke* and *George Bradbury*. L. J., XIV. 25. [At the hearing, Counsel for Appellant stated that the Appellant in May 1680 obtained a license for building on the Fields, and Cary brought a bill in Chancery to hinder him. The Judges being heard on the question whether there was an actual trust, and whether the Appellant could be compelled, by law or equity, to pay the money, *Baron Atkins* said it was not within the Act of Frauds and Perjuries; it was a condition precedent. It was not a trust till the condition was performed, and the condition was not performed. Serle had no remedy to compel the Appellant to pay the money. *Justice Charlton* concurred. MS. Min. 26 June. L. J., XIV. 62. *See* Vernon's Rep. i. 416.]

Annexed:—

(*a.*) 10 June. Answer of Henry Serle, Esq. The one sixth part, held for the term of 99 years, is charged with a yearly rent of 40*l.* for the maintenance of a free school at Calney, in Wiltshire. The four fee simple parts were left by the testator to his kinsmen Randolph and Rupert Birkenhead, to be sold for payment of his debts. Respondent bought these four parts for 1,242*l.*, and paid 558*l.* more to the executors, Mr. Serjeant Bramston and Sir Michael Mason, for their interest therein. The declaration of trust was given on condition that the Appellant should pay his share of the purchase money within a certain time, which he was unable to do, and so he waived and promised to deliver up the declaration. Respondent, having become sole purchaser, staked out the Fields for building, but was opposed by the Society of Lincoln's Inn and several of the inhabitants. Respondent, in spite of his promise, delayed delivering up the declaration of trust, while the opposition continued, on pretence that it was mislaid or lost, and when it ceased he

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produced it to extort money from Respondent, after he had begun to build. The appeal is really brought by Dr. Barbon, who prosecuted the suit in Chancery in Appellant's name. Prays that the appeal may be dismissed with costs. [Brought in this day. MS. Min.]

(*b.*) 10 June. Answer of Nicholas Barbon, Doctor in Physic, and Michael Scrimshire. Barbon mortgaged to Scrimshire his benefit of the contract, as a security for money lent him for the purchase. Searle owned that he was trustee for the Appellant, and the Respondents, having seen the declaration of trust, believed that the Appellant had a good right to his share of the Fields, nor had they ever had any notice, except from Searle, that the Appellant had agreed to waive his contract or deliver up the declaration of trust. Pray that the decree of dismission may be reversed, and Respondents declared entitled to the benefit of the trust. [Brought in this day M.S. Min.]

445. June 1. Dowager Lady Poulet v. L. Poulet.—Petition and Appeal of the Lady Susanna Poulett (relict of John Lord Poulett, deceased). Complains of the dismission of her Bill in Chancery against John, Lord Poulett, an infant, by his guardian Francis Poulett, Esq., Sir John Sydenham, Knt., Sir Thomas Putt, Bart., Edward Cooke, Esq., and Edward Strode, Esq., wherein she sued the trustees under a settlement made by her late husband in 1679, for the 4,000*l.* portion to be raised by them for her daughter Vere Poulett, who has died. Appellant claims a legal right to the money as administratrix. *Endorsed* as read this day. L. J., XIV. 26. MS. Min. 30 May. [This appeal is not signed by Counsel, but by Appellant. The case below is reported in Vernon, i. 204, 321. Counsel at the hearing were *Mr. Keck* and *Mr. Williams* for Appellant, and *Mr. Rawlinson* and *Mr. Hutchins* for Respondent. MS. Min. 19 Nov. 1685.]

Annexed:—

(*a.*) 6 June. Petition and Appeal of same. Almost identical with preceding, but containing the signatures of counsel, *i.e.*, *Anthony Keck* and *William Whitelocke*. [Ordered to be received in exchange for the preceding petition, the two having been compared, one read by the clerk and the other in the Lord Keeper's hands, M.S. Min., and L. J., XIV. 35.]

(*b.*) 29 June. Petition of the Respondents, John Lord Poulett, and his trustees. The Trustees, owing to the continuance of the rebellion in the West of England, have not been able to come up to town to instruct the defence of L. Poulett's right. Pray that the hearing may be postponed. L. J. XIV. 67.

446. June 1. D. Bucks v. Coombes.—Petition of George, Duke of Bucks. Petitioner having made several conveyances to trustees, in trust to pay him 5,000*l.* a year for his support, and to discharge his debts, allowed them to receive the profits of his estate, and out of the 5,000*l.* and other moneys borrowed of Cherry and his friends, large sums were disbursed for his carrying on a building begun by Petitioner at Clifden, wherein, among others, Latham, Houseman, Combes, and Pierce were employed as workmen. These men brought a bill in Chancery to discover the trusts, pretending that provision was made for their alleged debts. Houseman, Combes, and Pierce obtained a decree in Chancery to charge Petitioner's real estate with about 3,000*l.*, and to compel a sale of lands worth above 100,000*l.*, and Latham proceeded at law, as one of the Duke's trustees, and got a verdict for 2,000*l.*, which he has since received. Petitioner is willing to pay the workmen what

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is fairly due, if anything, but believes that, if an account were taken, no liabilities would be found, and submits that his estate ought not to be encumbered. The said decree is wrongly grounded on a note supposed to have been written by Petitioner to one of the trustees who expended the 5,000*l.* per annum, directing him to pay the workmen what should be due, and on a deed supposed to be made to indemnify the trustees from breaches of trust, which had no relation to charging Petitioner's estate, and could not avail the workmen, as no breach of trust had occurred. Petitioner's real estate ought not, therefore, to be charged. Prays that the decree may be reversed, and Combes, Houseman, and Pierce ordered to answer. L. J., XIV. 26. No signatures of counsel appear; the Appeal being signed by the Duke alone.

Annexed:

(*a.*) 12 June. Answer of John Combes, Valentine Houseman, and Edward Pearce. The Appellant conveyed his estate to Thomas, Bishop of Rochester, Sir Robert Clayton, Knt., and John Wildman, Esq., in trust to pay hi sdebts, as scheduled, and whatever other debts he should appoint, the surplus to go to himself. The deed of 24 August 1676, to indemnify the trustees, and the note authorizing Wildman to pay Respondents for the plasterers', joiners' and carvers' work, was sufficient authority for them to undertake it, and their claim was for 3,091*l.* 14*s.* 8*d.* and interest. Pray that the decree may be confirmed with costs. [Brought in this day. MS. Min.]

447. June 1. Northumberland Peerage.—Petition of Charles, Duke of Somerset, and Elizabeth, Duchess of Somerset, his wife. States that the Duchess, being the daughter and heir of Jocelyn, late Earl of Northumberland, and heir general of the Percy family, and entitled to several estates descended to her from her father, a mean person, whose true name is not certainly known, but calling himself James Percy, and by profession a trunk maker, falsely assuming to be descended from Sir Richard Percy, the fifth brother of Henry the 8th Earl of Northumberland, had the confidence to petition their Lordships to make out his claim to the Earldom and several baronies as devolved on him by the death of the said Earl Jocelyn without issue male; which Petition coming to be heard, and it evidently appearing to their Lordships that the said Sir Richard Percy was never married, and if he had been married, to make out the trunk maker's pedigree, as he would have it, Sir Richard must have been a grandfather at 13 years of age, their Lordships thereupon dismissed the Petition by orders of 20 Feb. 1672–3, and 28 March 1673, and resolved to consider the imposture farther on the next day, which however was not done, in consequence of the prorogation. Since then, Percy has been carrying on his false pretences in the Courts of Westminster Hall, though he has there had one verdict at bar against him and three nonsuits upon full evidence, and he has lately brought ejectments at law and a bill in equity against Petitioners and their tenants. Pray for relief. L. J., XIV. 24. [The Committee for Privileges, to whom the matter was referred this day, met first on the 4th June, when it was stated by Mr. Campion that the Countess had had a verdict and three nonsuits against Percy, who had then twenty or thirty ejectments depending for estates in Sussex, and was believed to have spent at least 1,000*l.* in suits. Nothing further recorded in Priv. Book.]

Annexed:—

(*a.*) 12 June. Sheet of paper superscribed "Percie's Petition of Complaint . . . . reason why." For superscription *in*

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extenso see L. J., XIV. 38. [This is the cover of the Packet of papers referred this day to the Committee for Privileges. (*ib.*) No entry of proceedings in Priv. Book.]

(*b.*) *Undated.* Petition of James Percy, "who hath at law proved himself to be Earl of Northumberland," to the King and the House of Lords. The Heralds at their Visitations refused to enter Petitioner's pedigree and arms, and have neglected to call a chapter to confirm his pedigree, by which means Petitioner has been kept out of his right for fifteen years, and his Petition to the King, on the 26th May last, praying for a writ of summons, cannot be heard of. On 30th May Petitioner presented his petition to the House by the hands of Lord Morley, with precedents and prints annexed, to prove his claim to the Earldom, but on 1st June he was by contrivance imprisoned, while the Duke and Duchess of Somerset petitioned their Lordships, and obtained an order without notice to Petitioner, and now both petitions of Petitioner are not to be found, but copies are annexed. On 3rd June a petition to answer their cross petition was given to the Duke of Ormond for presentation to the House, and likewise the former petition of the descent revived, and presented in the House to the Earl of Anglesey. On 6th June, Petitioner attended the House to present this petition, whereupon the House directed him to postpone the presentation till the 10th, when it should be received and heard. The King, on 9th January last, referred his cause to Parliament. Prays that his said petition may be called for and heard. *Unsigned.* [This and the following two petitions were presumably the contents of the Packet referred to the Com. Privileges on 12 June. L.J., XIV. 38.]

(*c.*) *Undated.* Petition of James Percy, "who claimeth to be Earl "of Northumberland, and hath been so proved." In answer to the petition of the Duke and Duchess of Somerset, states that the Duchess has for 15 years sheltered herself under infancy, &c. and kept petitioner out of his rights. Petitioner committed a mistake in deriving himself under Sir Richard Percy, but this is no bar to his lawful title from Ingelram Percy, under whom he now derives himself. Prays for a day to hear his cause, and for an order to bring in the Heralds' books and records, and take out the depositions of his witnesses. [Referred to in preceding as given to D. Ormond on 3 June to present to the House.]

(*d.*) *Undated.* Petition by James Percy, cousin and next heir male to Jocelin Percy, deceased, late Earl of Northumberland, to the King. Claims the Earldom as descended from Ingelram Percy, the third son of Henry, the 5th Earl. [Referred to in (*b.*) as presented in the House to the Earl of Anglesey on 3rd June.]

(*e.*) 15 May 1689. Petition of James Percy, the now right and lawful Earl of Northumberland. Petitioner is lawfully and lineally descended from Henry Percy, fifth Earl of Northumberland, and has proved the same, and by such descent he is the next cousin and immediate right heir male of and to Joscelin Percy, the 11th Earl, who died in May 1670, and since his death, the present lawful Earl. Prays to be admitted to take his seat, or if any doubt exists as to his claim, that the same may be heard and allowed. An endorsement, dated 20 April 1689, states that the Petitioner had presented this petition, finding his previous ones smuggled by his opponents. L.J., XIV. 211. [On report from the Committee for Privileges (*ib.* 224. Priv. Book 24 May 1689), to whom the petition was referred, the House

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ordered Counsel to be heard on 11 June (L.J. *ib.*) *Mr. Phips* spoke to depositions denied in the Court of Exchequer. *Mr. Williams* (for D. Somerset): We want to be discharged from this gentleman. Nothing can serve this man. We pray he may be punished for his impostureship. *Mr. Finch:* He has been five times nonsuited. Counsel withdraw, and after debate, are called in again, and told that the House will hear the Duke of Somerset's counsel as to the imposture. *Mr. Finch:* In the pedigree an unlucky mist[ake]: the grandfather but 13 years old when his grandson born. He began his pedigree from Richard; in this he was nonsuited. Then he derives his title from Sir Ingram Percy, and he had no wife at all, as the Courts in Westminster Hall are convinced. *Mr. Williams:* Your Lordships are bound by the order of 1673. I think you will not meddle again. Things ought to be conclusive. *Mr. Phips* (for Percy): Sir Ingram Percy was forced to send away his children in hampers. We were a trunk maker in Ireland. We claim under Sir Ingram Percy, third son of Henry fifth Earl of Northumberland, whose eldest son died without issue. Thomas executed for high treason. After reading a copy of the record before Sir Matthew Hale, counsel withdraw. The L. Privy Seal then stated the case, and after debate, the L. Chancellor was heard as to what was the proper signification of an imposture, and stated that it was not a term in law; who personated another was an impostor. Then the order made in 1673 was read, and the House gave judgment against Percy as an impostor. (M.S. Min. 11 June, L.J., XIV. 240).]

(*f.*)) 10 June 1689. Petition of James Percy. Petitioner has been endeavouring to get the depositions of his witnesses in the Courts of Chancery and Exchequer, and the Court of Chivalry, but the Clerks there decline to attend with them at the hearing without an order. Prays for an order accordingly. *Unsigned.* L.J., XIV. 238.

448. June 2. Bampfield v. Popham.—Petition and Appeal of Warwick Bampfeild and John Wynter, Senr., Esqrs., and Sir John St. Barbe, Knt., being all nephews, and Bampfield and Winter surviving executors and trustees of Henry Rogers, Esq., deceased. Henry Rogers, by his will in 1672, devised his estate of 1,000*l.* a year to the petitioners Bampfeild and Winter, and to Ann Rogers and Thomas Warr, since deceased, in trust for his great grandnephew Alexander Popham and his sons in tail male, with a proviso that if Alexander should die before coming of age, or without issue male, or if his father, Sir Francis, should on the trustees' demand fail to settle on him two-thirds of his estate, which had been settled on Sir Francis, on his marriage with Helena, the testator's niece, by his father Alexander, the devise was to be void, and the estate should go to Appellants. Rogers having died, Winter and Bampfield brought a bill in Chancery to compel their co-trustees to request Sir Francis to make the said settlement, but the latter died in 1674 without doing so. His son then brought his bill against Appellants on the ground that his father had in substance and equity fulfilled the proviso, by leaving him a great estate, and in 1682 he obtained a decree referring it to a Master to examine whether the estate so left was a fair equivalent, after payment of the debts chargeable thereon, and if so, that Alexander should be relieved against the breach of condition, and enjoy the estate. Petitioners submit that the estate is not a trust but a use, and therefore determinable by Common Law, not

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Equity; and that Alexander had no title at law by reason of the non-performance of the condition, and that the pretended equivalent is not one in reality, being only an estate for life, not of inheritance, besides being encumbered with debts amounting to above 40,000*l.* Pray that the decree may be reversed, and proceedings stayed, and Alexander Popham ordered to answer. Signed by Bampfeild and Wynter. The counsel signing are *T. Rawlinson*, *Ambrose Phillips*, and *T. Vernon*. L. J., XIV. 27. Vernon's Rep., i. 79, 167, 344. *See also* Calendar, Ninth Report, No. **561**].

Annexed :—

(*a.*) 12 June. Answer of Alexander Popham, an infant, by William Carr, Esq., his guardian. The decree was just and equitable. Prays that the Appeal may be dismissed with costs. Signed by Counsel, vizt., *Anthony Keck*, *William Whitelocke*, and *George Hutchins*. [Brought in this day. MS. Min.]

(*b.*) 11 Nov. Petition of Warwick Bampfeild and John Wynter for a day for hearing. L. J., XIV. 78.

(*c.*) 4 June 1689. Petition of Appellants Bampfeild and St. Barbe for a day for hearing. L. J., XIV. 233.

449. June 2. Winford v. Atkins.—Petition and Appeal of Thomas Winford, Esq. Thomas Tooke in 1669 devised his moiety of the manor of Wormley, and other lands in Wormley, Broxburne, and Cheshunt, in Hertfordshire, to Sir Robert Atkyns, Sir Edward Atkyns, and Stephen Ewer, in trust to raise money to pay his debts. The trustees, after Tooke's death, sold part of the lands to one William Hastings for 1,830*l.*, who sold it again to Elizabeth Reynolls, with Sir Robert Atkyns and Brighouse, and afterwards Whitfield and Andrewes, as trustees. Petitioner finally purchased the premises, alleged to be burdened with a charge of 230*l.*, for which Tooke had given a recognizance, and was made a co-defendant in a suit in Exchequer to compel the payment of the amount of the recognizance, which Court by a decree in 1684 ordered him to discharge the recognizance, or deliver up the lands until payment. Prays that the decree may be reversed. The Counsel signing are *R. Clerke* and *W. Williams*. L. J., XIV. 27. [At the hearing, *Mr. Rawlinson* and *Mr. W. Williams* appeared for the Appellant. Sir Robert Atkyns, by leave of the House, argued his case in person. Mr. Baron Gregory, by direction, stated the case as proved in Exchequer. MS. Min. 13 Nov. 1685. *See* also No. **484.**]

Annexed:—

(*a.*) 10 June. Answer of Sir Edward Atkyns, Knt., one of the Barons of his Majesty's Court of Exchequer. The recognizance was to trustees for the use of the poor of Wormley. Hastings paid the interest thereof while he enjoyed the lands, and Mrs. Reynolls, the mother of the testator's heir, took the estate and assignment chargeable therewith. Respondent, with his co-trustee, brought his bill in the Exchequer, having been sued on the recognizance, which Mrs. Reynolls or her trustees had left for some years unpaid to the poor, and the Appellant purchased while the suit was pending. The decree in Chancery was just and regular, and no proof has been given that there are assets in Respondent's hands enough to satisfy the recognizance. Prays that the appeal may be dismissed. [Brought in this day. MS. Min.]

(*b.*) 2 July. Answer of Sir Robert Atkyns, K.C.B. Identical with preceding.

(*c.*) 9 Nov. Petition of Sir Robert Atkyns, K.C.B. The Appeal is brought simply for delay, and prevents Petitioner from

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discharging the testator's debts and legacies. Prays that the Appeal may be dismissed with costs. L. J., XIV. 74.

450. June 2. Mason v. Woodroffe.—Petition and Appeal of Nicholas Mason, Gent. Petitioner married Judith, daughter of John Duncombe, Esqre. Judith was entitled to 800*l.* under her father's marriage settlement, and 200*l.* left her by her grandfather George Duncombe. On her death, her mother, Mary Duncombe, sister of Sir Richard Onslow, obtained administration of her estate, as if her daughter had died unmarried, and withheld the estate from Petitioner. Mary made her son Roger her sole executor, and died; and the latter made Sir George Woodroffe, Arthur Onslow, Esq., and Richard Sims his executors, and is dead also. Petitioner appeals against a decree in Chancery, made after reference to Mr. Justice Rainsford, disallowing his claim. L. J., XIV. 27. [The order made this day was altered on the 6th as to Arthur Onslow, being a Member of the House of Commons. MS. Min. 6 June.]

Annexed:—

(*a.*) 25 June. Petition of the Respondents, Sir George Woodroffe, Arthur Onslow, and Richard Syms. The decree complained of was made as long since as 1671. Pray that the Appellant may be ordered to give security, and that the hearing may be postponed, Respondents not being yet ready with their papers. L. J., XIV. 58.

(*b.*) 16 Nov. Petition of Appellant for an early day for hearing. L. J., XIV. 84.

(*c.*) 13 March 1688–9. Petition of Appellant for an early day for hearing. The appeal had abated by death of parties. Prays it may be heard against Woodroffe, Ma. Langley, Sir Richard Onslow, Tho. Symms and Geo. Duncombe. [Withdrawn this day, after being read, an order for the cause to be heard ten days later being cancelled. MS. Min.]

451. June 4. Deeping Fens Bill.—Draft of an Act for incorporating the Undertakers for draining of Deeping Fen. The preamble recites that the Undertakers appointed by the Act of 16–17 Car. II. were often forced to borrow large sums of money for carrying on the work entrusted to them, the raising of which money upon securities of their own lands they found to be difficult, every undertaker being obliged to join therein, which occasioned great delays very prejudicial to the undertaking. The Bill therefore enacts that Robert Earl of Aylesbury, John Lord Bellasyse, John Lord Berkley of Stratton, the Hon. Chas. Bertie, Sir John Shaw, Bart., Sir Christopher Clapham, Knt., William Hyde, the elder, Esq., William Hyde the younger, Esq., Samuel Fortrey, Esq., William Fortrey, Gent., James Fortrey, Esq., William Wimondesole, Esq., John Reyley, Esq., John Weyman, Merchant, and Henry Lee, Clerk, (being assignees of the trustees mentioned in the said Act), and each of them being owners of above 250 acres, part of 10,036 acres vested by the said Act in the trustees and every other person who shall own 250 acres thereof, shall be a body corporate under the name of The Governor and Conservators for the draining and maintaining of Deeping Fen, with power to meet when they please, and appoint their own officers. Robert Earl of Ailesbury is appointed the first Governor during his life, and he and his successors may appoint as deputy any person owning 500 acres of the Fens, the said Earl's successors to be chosen by the majority of the Conservators in public meeting at Spalding. Every Governo officer of the Corporation shall take an oath of office, and any th

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of the Conservators, including the Governor, may demand and receive accounts from their officers or servants, and exercise all the powers vested in the trustees under the said Act. The Governor and Conservators shall maintain not only the banks environing the Fens, but also the bank on the east side of the river Welland from Brotherhouse to Spalding High Bridge, and the bank on the north side of the river Glean from Gutheram Coate to Dovehurne in Pinchbeck, and shall preserve the navigation of those rivers. Provided that the said 10,036 acres shall remain vested in the assignees and their heirs and assigns. Fourteen days notice must be given of all meetings for raising any money otherwise than for taxes. When any of the lands shall be sequestered for any tax or penalty in arrear, so much only of such lands as are necessary to raise the amount shall be sold at a public meeting of the Corporation, and notice of such sale shall be given at least two market days before the same. No termer or tenant for years upon a reasonable rent without a fine of any of the lands so sold shall, by colour of such sale, be removed from his tenancy, so long as he pays his rent. All powers given by the said Act to the Commission of Sewers for Lincolnshire shall be continued. John Reyley, now Registrar to the Undertakers, shall retain his office, with leave to appoint a deputy during his lifetime. [Read 1ª this day L. J., XIV. 31. On 22 June, the House, in Committee, decided by 36 votes to 29 to hear Counsel on both sides. The Bill was opposed by the gentlemen of the county, who complained that the draining had not been performed to that hour (MS. Min.). A select Committee, assisted by Justice Levinz and Baron Atkins, was then appointed to amend the Bill (L.J., XIV. 53). This Committee met on the 24th. *Mr. Ward* (Counsel for the Bill) prayed for relief against the adjudication. The Undertakers thought they had drained sufficiently, and that the Commissioners would not have insisted on the adjudication made in September 1667. The Adjudication was not filed, which had made them since lay out above 14,000*l.* It would make them accountable for all the profits since 1667, and would vest the estate in the Commissioners. The Undertakers laid out the money because they thought the Commissioners would not make use of the Adjudication. They entered a caveat before the Lord Chancellor against it. Since the adjudication the Commissioners had fined them some 11,000*l.* for breaches, want of gates, etc., and had estreated several fines into the Exchequer. There had never been any complaint of not filing the Adjudication since this Bill. They brought in this Bill to prevent filing the Adjudication. *Mr. Cresset* (Counsel for the owners of the Fens and the Commissioners) opposed the Bill. Lovell had laid out much money in draining, but had no benefit thereof, because he had failed to perfect the work. The present Undertakers ought to have no more benefit than he had, because they had not perfected the work. Though the Undertakers had laid out money since the Adjudication, they had had the profits of the land. As the Bill was penned, they were at liberty to drain, or not drain, as they pleased. It was no damage to the Undertakers that the Adjudication was not filed. They forbore filing it out of respect. The Statute had made the Adjudication final, whenever it was filed.—The Adjudication made by the Commissioners of Sewers, dated 13 September 1677, was then read. *Mr. Bertie* informed the Committee that all the Lords of the Manors in the Fens were for the Bill. The making the Adjudication was in time of privilege, though several peers were concerned in it. So was the endeavouring to file it. —The judges being asked whether an appeal lay in this case, *Mr. Justice Levinz* said that if their Lordships had concluded themselves

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by express words, no appeal would lie. *Mr. Baron Atkins* said it was not usual for the judges to speak to the jurisdiction of Parliament. If an illegal Adjudication were filed in Chancery, it might be removed by *Certiorari* into the King's Bench, and it might be into the Exchequer, and quashed; but it might be two years in doing, if it were moved upon exceptions. The Undertakers might be relieved, notwithstanding the words "relieved in any Court or Courts of Equity" in the Act, against an illegal adjudication. *Mr. Justice Levinz:* Privilege of Parliament is not taken away by the Act. The Committee then ordered to report as in L. J., XIV. 61 (Com. Book, 24 June).—On the 27th the House ordered the Adjudication be delivered back to the parties, and that they produce it at the hearing. (MS. Min. 27 June). On the 29th Counsel were heard by the House as to the validity of the Adjudication. Counsel for the Adventurers and trustees objected that it ought to have been enrolled in Chancery, that it was certified only by 8 instead of 12 Commissioners, and that it did not appear of what division these 8 were (MS. Min. 29 June). The Committee on the Bill met again on 1 July, pursuant to order (L. J., XIV. 68). The Undertakers desired liberty to appeal, and that the House would not exclude their own judicature. They would alter nothing of the old Act, if they might but appeal. The Agents for the county said they had no power to consent to a Bill. On the question whether an Appeal did not lie regularly from the Act, the judges said it was a very tender point; their Lordships were best judges of it. The Commissioners of Sewers might sell the Undertakers' part of the Fens, if they did not drain, and after the Commissioners had perfected the work, they might sell for their own use. Being asked whether the Undertakers had not an appeal (notwithstanding the Act) to Chancery or the House of Lords, the Judges replied again that their Lordships were best judges in the case. A draft of a Bill (*see* Annex (*b*) below) was then drawn by the Committee, and agreed by 6 votes to 1 to be reported to the House (Com. Book, 1 July). Further proceedings were stopped by the adjournment on the 2nd].

Annexed:—

(*a*.) 24 June. Draft report of the Committee on the Bill, L. J. XIV. 61. *In extenso.*

(*b*.) 1 July. Draft of an Act for settling some differences between the Commissioners of Sewers and the Undertakers about draining Deeping and other Fens. Whereas some doubt has arisen upon the Acts of 16–17 Car II., and 22 Car. II., whether an Appeal lies to the Court of Chancery, and from thence to the House of Lords, from an Adjudication of the Court of Sewers, the Bill declares that an Appeal does so lie. [Ordered to be reported this day. Com. Book of date.].

(*c*.) 1 July. Rough draft of preceding.

452. June 4. Leather Act.—Petition of the Shoemakers and other manufacturers of leather, praying that the Bill for reviving and continuing the Act of 20 Car. II. which expired about ten years since, may be dismissed, or the petitioners be heard by themselves or counsel against it. The Act had been ruinous to their trade and had been beneficial only to some French merchants and a few others. *Signed* Wm. Horsey, Chr. Hills, Thorpe Groome, and Humphrey Burlton. Referred to the Committee on the Bill this day. L. J., XIV. 31. [On 13 June *Counsel for the Petitioners* urged that the Bill would do much damage to shoemakers. Exporting leather would give opportunities to foreign countries to make shoes where Petitioners furnished them, and would have no employ for journeymen, besides injuring the Customs and many manufacturers,

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Leather had been prohibited for many generations; the price of bark had risen the last three or four years. In exporting calves' skins there was not above 1*s.* paid, where, if wrought, there would be 7*s.* 6*d.* paid. By exporting leather twenty-six different trades would be prejudiced. There was no leather brought to Leadenhall Market, but was constantly sold. If leather were exported the best would be sent abroad, whereas now the worst was worked up for that purpose. If sent abroad unwrought, the artificer would follow it for employment. *Counsel for the Tanners* urged that prohibiting the export of leather tended to the fall of rents, and bated the price of bark. The Plantations, that formerly took off their made wares, had now leather, and artificers of their own to work it. Bark was now worth nothing. Wrought ware was prohibited now in France and Flanders. Exporting leather would increase the King's customs. Leather in Ireland, because exported, was worth 8*d.* a pound, and only 4*d.* in England. The price of hides had much fallen. *Counsel for the London Curriers* offered a proviso (Annex (*b.*) below) to the Bill. Mr. Dixon, shoemaker by Aldersgate, had exported for several years past 1,500*l.* a year in wrought ware. He kept 16 or 18 men at work for ware sent abroad. *Mr. Reading* (for the proviso) said it prayed no new power; it only directed the well ordering of leather, which would be of advantage whether leather were exported wrought or unwrought. The Curriers had been damaged 1,000*l.* a year by the undue currying of leather, which the proviso would remedy. *Counsel for the Tanners* (*Mr. Ward*) opposed the proviso as needless. The merchants, the buyers, did not desire it; they did not complain. The proviso would enable the London Curriers to monopolize the whole trade. About two years since 200*l.* of hides had been consigned to Mr. Chas. Porter. On 16 June *the Graziers* were heard, at their desire. *Mr. Ward*, on their behalf, said that raw hides were now worth but a penny a pound; they had formerly sold for 3*d.* or 4*d.* a pound. Broome, the shoemaker, said that land and all other commodities arising from land were at lower rates when leather was exported unwrought than it was now. 100*l.* worth of leather exported unwrought would be worth 300*l.* if wrought. On 17 June *Mr. Cresset* desired to be heard for *the Shoemakers*, but on his speaking something whereat Lord Colepeper took offence, Counsel were ordered to withdraw. The parties being called in again, *Mr Cresset* prayed to be heard against the Bill for some Tanners, more numerous than those *Mr. Jennings* had appeared for, in support of it. There were some 70 tanners in Southwark, whereof not more than 12 were for exporting leather, the rest being his clients. A petition of several Tanners, and one of Belt-makers, against the Bill were then read (See Annexes (*c.*) and (*d.*) below). The Committee then proceeded to consider the Bill. The clause as to seven years was rejected by 6 to 3, and a period of 3 years was substituted by 5 to 4. The preamble was agreed to by 5 to 3, and the proviso offered by the Curriers was rejected. (Com. Book, June 13, 16, 17). The Bill finally received the Royal Assent on 27 June. L. J., XIV. 65. [1 Jac. II. c. 13. Folio Edition.]

Annexed:—

(*a.*) 4 June. Petition of London and Colchester wool-card makers. Offers, as reasons against exporting calves' leather, that Petitioners cannot make wool-cards without it. Former Acts have encouraged the manufacture of woollen cloth. The Bill will be a great detriment to clothing, for Petitioners will not have leather to make cards with, unless they give unreasonable prices for some time of the year, and they cannot have choice for moneys, and have gone for several market days before, and that for Petitioners' own

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uses. Pray that calves' leather may not be exported. *Signed* by John Andrewes, W^m^. Townsend, John Crekett, Joshua Creket, John How, Mathew Pittnutt, John Cloy, Edward Bennett, John Cooper, and James Cricket. [Referred this day to the Committee on the Bill, L. J. XIV. 31.]

(*b.*) 13 June. Proviso, offered by the Curriers, that no curried leather shall be exported from London, but what shall be inspected by the Master and Wardens of the Curriers' Company, on pain of forfeiting the same or the value thereof. All such leather as they shall find well tanned and well curried, on production of a certificate that the same was bought in fair and open market, shall be sealed with all convenient speed, not exceeding one day after request, on pain of forfeiting 6*s.* 8*d.* for every hide or skin. A different seal shall be provided for all curried leather not curried within three miles of the City of London, to prevent the same from being used, cut, or put into wares within those limits. Two pence shall be taken for sealing every ten hides or six dozen of skins; the same to be inspected and sealed in Leadenhall before being housed within the said limits, on pain of being forfeited. All curried leather not allowed to be put into made wares within those limits, and not sealed, that shall be found in the possession of any worker or retailer of curried leather, shall be forfeited. Every person within the said limits shall be under the same search and incur the same penalties for denying search or seizure as Shoemakers are by the Act of 14 Car. II. c. 7, and all penalties shall be recovered and applied as by that Act appointed. [Offered to the Committee this day, and rejected on the 19th. Com. Book.]

(*c.*) 17 June. Petition of several Tanners, praying to be heard by Counsel against the Bill. *Signed* by Jos. Smart, G. Dunton, W. Voss, B. Orrill, S. Orrill, T. Coalle, R. Bynen, H. Thatcher, J. Aslin. [Read this day in Committee. Com. Book.]

(*d.*) 17 June. Petition of the Belt-makers of London to the King and the Lords in Parliament. States that within the last four years, during the time of prohibition, when the King had urgent occasion for 2,000 belts for the expedition to Tangier, the London market could not furnish Petitioners with tanned leather fit for the purpose, until six weeks after the time limited for providing them, but they had to buy it wet from the Tanners' yard, not sufficiently tanned. The same prejudice will ensue if the Bill pass. *Signed* J. Jenkins, R. Marshall, C. Gibbons, W. Heart, W. Gladwin. [Read this day in Committee. Com. Book.]

453. June 5. E. Powis' Act.—Amended draft of an Act for rebuilding of the Earl of Powis' house in Lincoln's Inn Fields, lately demolished by fire. [Read 1^a^ this day: Royal Assent 27th June. L. J., XIV. 32, 65; 1 Jac. II. c. 3 in List of Private Acts, 8vo. Sir Christopher Wren was ordered to view the proposed site and certify as to its convenience. Com. Book, 10 and 19 June.]

Annexed:—

(*a.*) 10 June. Lords' amendments to the Bill. [Made in Committee this day. Com. Book.]

(*b.*) 19 June. Rough draft of Bill, before commitment. *Endorsed* with a memorandum of consent to the Bill, signed by Sir W. Massingberd, and *dated* 18 June 1685. [Produced before Committee this day. Com. Book, 10 and 19 June.]

(*c.*) 19 June. Certificate of date that the proposed arch for foot-passengers under the first story will in no way inconvenience

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foot-passengers in Queen Street, nor encroach on the space for coaches, there being 27 ft. left clear. *Signed* John Baber, Roger L'Estrange, Edw. Guise, Thos. Orty, John Ball, R. Sawyer, T. Hone. *Underwritten* is a similar certificate by Christopher Wren. [Produced in Committee this day, pursuant to order of the 10th. Com. Book of dates.]

454. June 6. Church Rates, &c. Bill.—Draft of an Act for better payment of Church Rates, Small tithes, and other Church duties, and for the better passing of Churchwardens' accompts, and regulating of parishes. This Bill is identical with the amended bill of 1676–7 (*See* Calendar, 9th Report, No. **348**) except that the following clauses are now added at the end of it, vizt.:—And be it further enacted, for the better regulating of parishes, that all donatives, curacies, chapelries or whatever other title they may be under, to which the cure of souls is committed without the form of institution and induction, that from henceforward all such within the kingdom of England and dominion of Wales, when they shall fall void from and after the [blank] day of [blank] in the year of our Lord [blank], shall become presentative, neither shall any be capable from the time above-mentioned to receive the same before he be presented and have received institution and induction from the bishop within whose diocese such donative, curacy, or chapelry shall be. Provided always that no fees shall be taken for this institution or induction by the bishop, chancellor, or commissary, archdeacon, official, or any other officer pretending to any fee for the said institution or induction, they paying only the usual fees for a licence to serve the said cure of souls as they formerly [did]. Provided always, and be it enacted, &c. that neither this Act nor anything therein contained shall extend or be construed to extend to the Peers of this realm or unto any of them, anything in this Act to the contrary notwithstanding. [Read 1ª this day, being substituted for another Bill, withdrawn on the 1st June (L. J., XIV. 24, 34). Dropped in C. W. H. (*ib.* 38, 42, and MS. Min. 12 and 15 June.)]

Annexed:—

(*a.*) Draft clauses, vizt.:—Provided that in all cases prosecuted according to this law, a prohibition may be brought in the same manner as before, anything in this Act to the contrary notwithstanding. And be it enacted, &c. that in all cases of prohibitions brought upon suits prosecuted by virtue of this law, upon the awarding of consultation, full costs of suit shall likewise be awarded.

455. June 10. L. Grey de Ruthin.—Writ of Summons, dated this day to Henry Grey de Ruthin, Chr., who took the Oaths this day. L. J., XIV. 35.

456. June 13. Post Office Act.—Draft of an Act for consolidating the Estates Tail and Reversion in Fee which his Majesty hath in the Post Office, and Twenty-four thousand pounds per annum of the Hereditary Excise. *Noted*, in the King's hand, JAMES, R. I do allow of the bringing in of this Bill. [Read 1ª this day, Royal Assent 27th June. L. J., XIV. 40, 65. 1 Jac. II. c. 12 in Folio Edition. Of the proceedings of the Committee appointed 19 Nov. 1680 to enquire into the abuses of the Post Office (L. J., XIII. 679), no proceedings are recorded in the Com. Book, nor indeed any notice of that Committee having ever met.]

457. June 16. Savery's Bill.—Amended draft of an Act to enable Isaac Savery, of the city of Exeter, Gent., to take upon him the Surname of Searle or Serle. The preamble recites that Isaac Savery,

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having good assurance of receiving great advantage by the proposed change of surname, to prevent any doubts or disputes and to give a full satisfaction to the relations of the person designing an advantage to him, prays for a Bill for that purpose. The Bill enables him and his descendants, lawfully begotton, to take the said surname, and to do all things thereunder. Provided that the bill shall not impeach or make void any conveyance made, or any thing of record heretofore done by, or suit brought against Isaac Savery under that name; nor disable him or his heirs from inheriting or taking any estates, &c., to which he might be entitled under that name. [Read 1ª this day (MS. Min. of date and endorsement: no entry in L. J.). Reported, with one verbal amendment, 20 June (Com. Book, 19 June, L. J., XIV. 50). Laid aside, after commitment, in the Commons. (C. J., IX. 748.)].

458. June 16. Grantham v. Wood.—Copy Writ of Error, &c. brought in this day, and of Tenor of Judgment thereon. L. J., XIV. 44, 59.

Annexed:

(*a*) 25 June. Petition of Respondent that the Judgment may be affirmed and the record remitted as the Writ of Error had been brought only for delay, and no Errors had been assigned [MS. Min. of date. *See* L. J., XIV. 59.]

459. June 16. Travell v. Carteret.—Writ of Error, &c. brought in this day. L. J., XIV. 44. *Parchment Collection.*

460. June 16. Duchy of Cornwall Act.—Amended draft of an Act to enable his Majesty to make grants, leases, and copies of offices, lands, and hereditaments, parcel of his Highness' Duchy of Cornwall, or annexed to the same, and for confirmation of leases and grants already made. The only amendments are to fill up the blanks with seven years, and to omit, in the last clause, the alternative enabling tenants to compound "with the Chancellor or Under-Treasurer of the Exchequer." [Read 1ª this day; Royal Assent 27th June. L. J., XIV. 44, 65, and MS. Min. 17 June. 1 Jac. II. c. 9 in Folio Edition.]

461. June 19. E. Anglesey v. Philpott (Privilege).—Petition of Arthur, Earl of Anglesey, to the King and the Lords in Parliament. Complains that being a peer of the realm, and summoned by the King's writ to give his counsel in Parliament, which he has done with all faithfulness, according to the best of his judgment and conscience, and without the least reproof from his Majesty or their Lordships, he has received most barbarous and scandalous usage from one Anthony Philpott, a person unknown to Petitioner, to the great dishonour of the King, and in manifest breach of the privilege and freedom not only of the House, but of Petitioner, for his free voting in Parliament, as will appear by the annexed relation and charge against Philpott, whereby Petitioner is vilified contrary to all colour of truth. Petitioner and his father Francis, late Baron of Mountnorris and Viscount of Valentia, in Ireland, have faithfully and meritoriously served the King in several offices and employments of great trust for above three-score years, viz., his father as principal Secretary of State, Vice-Treasurer and Treasurer at Wars, and Privy Councillor in Ireland to James I. and Charles I., and Petitioner as Vice-Treasurer and Treasurer at Wars and Privy Councillor in Ireland, and as Treasurer of the Navy Royal and Lord Keeper of the Privy Seal and Privy Councillor and in other great employments and trusts in England, for above 23 years, to Charles II., by whom also he was particularly intrusted and commissioned with ample power for the compassing of his Restoration, when Petitioner and

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James II. were banished the Kingdom, wherein Petitioner's success, as is well known, was so great that he had the highest acknowledgments thereof under the Great Seal of England from his late Majesty, and both himself and his father were dignified for their services, viz., his father with the honour of Visct. of Valentia by James I. and Baron of Mountnorris by Charles I., and Petitioner with that of Baron of Newport Pagnell and Earl of Anglesey by Charles II., and rewarded with divers beneficial grants continuing in his present Majesty's reign, at whose coronation he attended, as he has done almost ever since at Court and in Parliament without any expression of dislike from his Majesty. Prays their Lordships, in vindication of the Crown, and the dignity, privilege, and freedom of Parliament, and in justice to Petitioner, thus scandalously outraged, and to the discountenance of any others ever to attempt the like (and the rather because Petitioner was never in his life so much as accused of any crime or unfaithfulness, but has arrived at old age with unblemished honour and allegiance, which he hopes to leave to his numerous progeny) to cause Philpott to be brought before them, and upon examination and proof made against him, to inflict such punishment as so high an offence deserves, and to give Petitioner such relief as to justice shall appertain. L. J., XIV. 49.

Annexed:—

(*a.*) 7 June. Statement, signed by Robert Thornhill, that Philpott, being in company with him and Wm. Colleford Esq. and Nicolas Rous, Gent, and others declared, in the course of a conversation about the Act of Attainder against the Duke of Monmouth, that the Earl of Anglesey was a base rogue for opposing the Bill, and that it was well known he was so, otherwise the King would not have turned him out from being Keeper of the Privy Seal. *See* L. J., XIV. 51. [Thornhill and Rouse gave evidence on the 20th at the Bar in support of the above statement, the latter adding that Philpott was an adjutant in L. Oxford's Regiment. (MS. Min. of date.) An order was then made to attach Philpott. L. J., XIV. 51.]

(*b.*) 2 July. Petition of Anthony Philpott. Petitioner, now in the custody of Black Rod, is heartily sorry for the words he used, and ready to make submission. Prays to be discharged, and his offence remitted. L. J., XIV. 71. [On the 29th Philpott was called to the Bar, and said he remembered nothing of the words charged against him, having been drunk. He was then committed to Black Rod. MS Min. 29 June.]

462. June 19. Eaton v. Lane.—Copy Writ of Error, &c. brought in this day and of Tenor of Judgment thereon on 18 Nov. L. J., XIV. 49, 87.

Annexed:—

(*a.*) 27 June. Petition of John Lane, the Defendant, for a short day for Hearing. Plaintiff had only assigned the general Errors. L. J., XIV. 64.

(*b.*) 29 June. Petition of George Eaton, Ro. Baker, and Jo. Baker. Plaintiffs did not, as stated by Defendant, assign the general Errors, but alleged a Diminution, and prayed a Writ of *Certiorari*. Pray that Defendant's Plea may be withdrawn. L. J., XIV. 66.

(*c.*) 11 Nov. Petition of Defendant. Plaintiffs, to produce delay, have not yet got a *Certiorari* returned. Prays for a short day for Hearing. L. J., XIV. 77.

(*d.*) 11 Nov. Order on preceding. L. J., XIV. 77. *In extenso.*

(*e.*) 16 Nov. Affidavit of Service of preceding Order by Edwd. Wright, appended thereto.

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463. June 19. Buckeridge v. The King.—Writ of Error, &c. brought in this day. L. J., XIV. 49. *Parchment Collection.* *See also* No. **467.**

464. June 20. Tithes Bill.—Commons' Engrossment of an Act for the more speedy and easy recovery of Small Tithes and other Dues by Rectors and Vicars. "Forasmuch as the ways and means of the recovering of small tithes and other dues in His Majesty's Court of Exchequer and in the Courts Christian have been found by experience to be full of delay, charge and expense; for remedy whereof be it enacted by the King's most Excellent Majesty, the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by authority of the same, That if any person or persons shall at any time hereafter substract, deny, or neglect to render or pay his, her, or their tithes personal, mixt or minute oblations, obventions, or other dues or any other tithes except the tithes of corn, hay and wood, or any rate or composition for the same to the Rector, Vicar, or other person unto whom the same ought to be rendered or paid, That then upon complaint thereof made to some one of His Majesty's Justices of the Peace of the proper county, such justice shall issue his warrant under his hand and seal to summon such person to appear before two of the Justices of the Peace of the said county (not being patrons of the Church nor concerned in right or interest) at some convenient time and place therein to be named, and upon such appearance to hear the said parties, their witnesses and proofs upon oath (which oath the said justices are hereby empowered to administer), and thereupon to judge and determine the matter of such complaint according to right and justice, and to set down such judgment in writing under their hands and seals; And in case the said party summoned shall not appear upon the first, then the said justices shall issue a second summons returnable at a time and place then after, and oath being made of the due execution of both the said summons, if the party summoned shall not appear, the said justices shall proceed to judgment upon his or her default. And it is further enacted by the authority aforesaid that if the party against whom such judgment shall be given shall not obey the same and within thirty days next after notice thereof either to his or her person or by a note in writing to be left at his or her house, shall not pay such sum or sums of money as shall be awarded or ordered by such justices, That then such sum and sums of money so awarded shall be levied by distress and sale of his or her goods by virtue of a warrant under the hands and seals of the said two justices to be directed to the Constable, Headborough, Tithingman or other proper officer of the town or parish where the said party lives, rendering the overplus to the said parties; And if no sufficient distress can be found, that then it shall be lawful for the said justices or any other justice of the peace of the said county to commit such person to the common gaol, there to remain without bail or mainprize until he or she shall pay the money so awarded as aforesaid. Provided nevertheless that it shall and may be lawful to and for the said party against whom such judgment shall be awarded, to appeal unto the next Quarter Sessions of the county, city, or place within the said thirty days where the same shall be again reheard and finally determined, the said party appellant first depositing in the hands of one of the said justices the sum awarded, together with twenty shillings more towards the charges in the defence of the said Appeal. Provided also that this Act shall not extend to the cities of London and Westminster or suburbs thereof. And lastly it is hereby enacted that if any person shall be sued for any act done in the execution of this statute, it shall be lawful for such person and persons to plead the general issue and give the special matter in evidence,

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and if the plaintiff in such action shall be nonsuited or a verdict pass against him, the defendant shall recover double costs. Provided also that this Act shall continue in force for seven years and from thence to the end of the first Session of the next Parliament and no longer. Provided nevertheless, and it is hereby enacted and declared by the authority aforesaid, That where any person or persons who shall be complained of, by virtue or in pursuance of this present Act, shall upon his, her, or their appearance before the said justices insist upon a *modus decimandi* or other ancient legal discharge of all or any the matters complained of, and oath of the truth thereof according to his, her, or their belief being made by the said party before the said justices, who are hereby empowered and required to administer the same, if such *modus* or legal discharge shall be denied by the party complaining, or if a question shall happen to arise before the said justices, upon any of the complaints in this Act mentioned, concerning the boundaries of parishes, or whether the tithe substracted do belong to the parson, Rector, Impropriator, or to the Vicar, or whether the place be parochial, or extra-parochial, then and in all such cases the said matters in controversy shall be left to be determined as heretofore, anything herein contained to the contrary notwithstanding." *Parchment Collection.* [Brought from the Commons this day (L. J., XIV. 51), and rejected on First Reading on 27th. L. J., XIV. 64. *See also* Calendar, 9th Report, No. **418.**

465. June 22. Hawkers Bill.—Commons' Engrossment of an Act for the better suppressing of Pedlars, Hawkers and Petty Chapmen. Almost identical with Bill of 1678 (Calendar, 9th Report, No. **586**), but adding goldsmiths, grocers, and haberdashers to the trades to be protected, limiting the sale by pedlars to goods of their own making, prescribing a week from the exposure for sale as the time within which goods may be seized, declaring pedlars traffic a nuisance, and omitting the clauses as to Charters &c., and as to the Universities. The Act to be in force for seven years from 29 Sept. 1685. *Parchment Collection.* [Brought from the Commons this day, but thrown out after 2nd Reading. L. J., XIV. 52, 77.]

466. June 22. Bangor Cathedral Church Act.—Amended draft of an Act for the repair of the Cathedral Church of Bangor and for the maintenance of the Choir there, and for the augmentation of the Revenue of the Bishopric of Bangor, and also for an augmentation of several Vicarages within the Comportions of Llandinam in the Diocese of Bangor aforesaid. [Read 1ª this day: Royal Assent 2nd July. L. J., XIV. 53, 71. 1 Jac. II. c. 8 in List of Private Acts, 8vo.]

Annexed :—

(*a.*) 25 June. Amendment, marked A. Applies one-third of the two comportions of the Rectory of Llandinam for the augmentation of vicarages, and the other two-thirds for the repair of the Cathedral church and choir. [Substituted this day, on re-commitment, for the words in the Bill applying the residue of the profits to the maintenance of the Choir. Com. Book, 25 June.]

467. June 23. Buckeridge v. the King.—Petition of Joyce, Relict of Francis Fortescue, Esq., and Tho. Levingstone, now wife of Edm. Buckeridge, Merchant, praying for a short day for hearing. L. J., XIV. 65. See also No. **463.**

Annexed :—

(*a.*) 16 Nov. Similar petition of same. L. J., XIV. 84.

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468. June 25. Pellissary's Naturalisation Act.—Certificates that the following persons, naturalised by an Act for naturalising of Magdalen Pellassary and others, received the Sacrament according to the usage of the Church of England, viz.:—

(1.) Magdalena Pellissary, on 7 June, at French Church.
(2.) Anthony Arias, on 4 June - - } at St. Paul's, Covent
(3.) Mrs. Huyssen Cornewall, on 14 June } Garden.
(4.) Frederick Harlah, on 13 June, at St. Mary Aldermary.
(5.) Henry Lyterman, on 21 June, at St. Peter's, Cornhill.
(6.) Cornelius Steller, on 14 June, at German Church.
(7.) Isaake De Mons, on 29 May, at St. Mary Aldermary, (*see also* No. **439**).

[Bill brought from the Commons this day. Royal Assent 27 June. L. J., XIV. 58, 65. 1 Jac. II. c. 5 in List of Private Acts, 8vo.]

469. June 25. Grenville v. E. Huntingdon (Privilege).—Petition of Bernard Grenville, Esq., and Anne, his wife. Petitioner recovered, in the name of Mr. George Nares, at the last assizes at York, a verdict for 500*l.* against Mrs. Eliz. Lewis, who pretends a protection from the Earl of Huntingdon, she being only aunt of the Countess, and not a servant. Prays to have the benefit of the verdict. L. J., XIV. 58.

Annexed:—

(*a.*) 27 June. Answer of the Right Hon. Theophilus, Earl of Huntingdon. Grenville obtained by surprise a verdict, in an action of ejectment against the tenants of Respondent and the Earl of Scarsdale, claiming by and under Sir John Lewis, who purchased the land upon a statute entered into about fifty years since. In a counter action since brought to recover the lands, Mr. Grenville insists on his privilege as a member of the House of Commons. The action against Mrs. Lewis is trespass for mesne profits, wherein the title could not be tried. Respondent protects Mrs. Lewis not as his relation or servant, but as his undertenant, whose interest he is bound to defend. *Endorsed:* Ended by both declaring they would not insist on privilege, as vide Journal 14 Nov. 1685. [Brought in this day (MS. Min.), and read 1 July. (L. J., XIV. 70.) On question, whether this question shall be now put (viz., to hear the cause to-morrow), Contents 19. Not-Contents 35. L. Dartmouth and L. Cornwallis appointed Tellers. (MS. Min. 1 July). On 14 Nov. *Mr. Bowes* and *Mr. Phillips* appeared as Counsel for the Earl of Huntingdon. On question whether the question to dismiss the Appeal shall be now put, Contents 23, including 4 proxies. Not-contents 21. On question, whether the Petition shall be dismissed, Contents 18. Not-Contents 25. L. Colepeper was one of the Tellers, who were the same in both divisions. The name of the other Teller is not recorded. (L. J., XIV. 82. MS. Min. 14 Nov.).]

470. June 25. Candles Bill.—Commons' Engrossment of an Act against the importation of Tallow Candles. Whereas it hath been found by experience that the importation of Tallow Candles made in Ireland and other parts beyond the seas hath tended to the great discouragement of that manufacture in England, and to the impoverishment of many families depending upon that trade, and to the prejudice of this Kingdom in general; for remedy thereof the Bill enacts a penalty of 5*l.* for every 12 lbs. of such candles imported, (except for the use of the vessel on her voyage), to be paid by the master of the vessel, and a like penalty

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on the importer, half to go to the King and half to the person seizing or suing; and the goods to be forfeited. Double costs to be recovered by defendant if successful. The Act to remain in force for seven years from 29th Sept. following. *Parchment Collection.* [Brought from the Commons this day, and rejected on 2nd Reading on 27th. L. J., XIV. 57, 62.]

471. June 30. King's Person Preservation Bill.—Commons' Engrossment of an Act for the better preservation of His Majesty's Person and Government. *Parchment Collection.* This Bill is printed *in extenso* in Fox's Hist. of James II., Appendix pp. 154–157. [Brought from the Commons this day, read 1ª and ordered to read 2ª, but dropped with the prorogation on 2 July L. J., XIV. 68.]

472. Aug. 4. E. Rochester.—Commission (under Royal sign manual) appointing the High Treasurer, Lawrence, Earl of Rochester, Speaker of the House, during the absence, through infirmity, of Francis, Lord Keeper Guildford. *Parchment Collection.* L. J., XIV. 72. *In extenso.*

473. Nov. 9. Writs of Summons, dated 7 Nov., to the following Lords:—

(*a.*) Henry D. Grafton, introduced this day. L. J., XIV. 73.
(*b.*) Thomas E. Aylisbury
(*c.*) Charles E. Radnor } took their seats this day. L. J., XIV. 75.
(*d.*) Thomas [White], L. Bp. Peterborough, who took the Oaths this day. L. J., XIV. 74.

474. Nov. 9. Bp. Bristol.—Writ of Summons, dated this day, to Jonathan (Sir Jonathan Trelawny) L. Bp. Bristol, who took the Oaths this day. L. J., XIV. 74.

475. Nov. 9. Garter's Roll.—A List of the Nobillty of England according to their respective Precedencies, prepared and signed by John Dugdale, Deputy Garter, for this the first day of the Session. *Parchment Collection.*

476. Nov. 9. L. Delamer.—Petition of Henry, Lord Delamer, now a prisoner in the Tower of London. Complains of his commitment, by warrant from Lord Sunderland, and prays for relief. L. J., XIV. 74. *In extenso.* [On debate of the King's answer to the Address, the House considered the precedents in the cases of E. Bristol, May 1626, and E. Pembroke, 1 March 1667–8. *Question* proposed: Whether this House doth acquiesce in his Majesty's answer concerning the L. Delamer? Question: then the question of adjourning the debate (L. J., XIV. 76) was put and resolved in the affirmative by 44 to 29. Teller for Contents, E. Bridgewater. Teller for Not-Contents, E. Peterborough. (MS. Min. 10 Nov.)]

477. Nov. 11. E. Stamford.—Petition of Thomas, Earl of Stamford. Complains of his commitment to the Tower by warrant of the Earl of Sunderland, and prays to be heard by their Lordships in his defence. L. J., XIV. 77. *In extenso.*

Annexed:—

(*a.*) 14 Nov. Writ of *Certiorari* for the Return of the Indictment against the Earl of Stamford, with (1) the Record and (2) the Indictment returned accordingly and appended thereto. Delivered in this day by the Clerk of the Peace for London. L. J., XIV. 77, 82, 85.

(*b.*) 17 Nov. Copy of a record (Rot. Parl. 46 Edw. III. No. 43), delivered by the Earl at the Bar this day. L. J., XIV. 85. [The House after reading the Indictment, proceeded to read the

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proceedings in the Journals upon the trial of E. Pembroke. MS. Min. 17 Nov.]

478. Nov. 11. Sir G. Crook's Bill.—Draft of an Act for vesting the lands of Sir George Crooke, Knight, deceased, in trustees, to be sold for the payment of his debts. Recites that Sir George Crook, being seized of the manor of Waterstock and other property in the parishes of Ipsden, Stokerow, and Northstoke, in Oxfordshire, charged the same with some term or interest for raising 2,500*l.* portion for his youngest daughter, and mortgaged the premises to several persons for payment of large debts, and died indebted to several others by bond and otherwise. The estate descended to his two daughters and coheirs Dame Elizabeth Windham, wife of Sir Thomas Windham, Bart., and Sarah Crook, an infant, and is likely to be wasted in lawsuits, unless sold to pay the debts on it, which by reason of the infancy of Sarah Crook cannot be done without the authority of Parliament. The Bill accordingly vests the said property in trustees (left blank), for paying the said portion and debts. After sale of the property, the surplus, if any, to be divided equally between the coheirs. [Read 1ª this day; dropped, after commitment, with the session. L. J., XIV. 76, 86. Com. Book, 19 Nov.]

479. Nov. 11. Reading v. Commissioners of Sewers for Hatfield Level.—Draft order referring petition of Nathaniel Reading (see Calendar, Ninth Report, No. **592** (*p.*)) to Committee for Privileges. L. J., XIV. 77. *In extenso.* Appended to next paper. [This paper and those here annexed to it will be found with papers No. **592** of last Report.]

Annexed:—

(*a.*) 22 Nov. 1689. Petition of Nathaniel Reading. The Dissolution prevented any report being made on his previous Petition. Great frauds have since been practised against the estate of the late Duke of Bucks, and the attorneys Simpson and Wood have, for 400*l.*, *pendente lite*, purchased Bradborne's lands in the Level, valued at 1,300*l.* per annum, and being indebted to Petitioner for their arrears above 500*l.*, and assuming the control of the Commission and the disposal of vast sums of the public money to their own sinister purposes, have obstructed those of the Commissioners who were disposed to obey their Lordships' Orders. Prays that the above order of reference may be revived. L. J., XIV. 350. [The Committee for Privileges, on 3 Dec., after hearing Mr. Reading, who complained of the disobedience of Simpson and Wood to the Orders of the House, and offered to prove his complaints by witnesses, divided on the question whether Mr. Reading's witnesses should be summoned that day three weeks to attend at the bar, without first acquainting the House. This was resolved in the affirmative by 6 votes to 3. Upon calling over the Committee, it being found that the Earl of Berkley, who was in the Chair, was not of the Committee, their Lordships rose without doing anything more. On 31 Dec. the Committee, after hearing Reading's witnesses, ordered Simpson and Wood to have a copy of the petition and put in their answer. On 18 January Reading said the order of 20 Dec. had been served and disobeyed by Simpson and Wood, who also encouraged the commoners to pull down the fences. *Simpson*, being called in, said that the order of 20 Dec. 1680 did not affect him, as he was not on the Commission till 1681. He was shown the order in 1683, and had never disobeyed it. Denied having said that he did not care for the House of Lords.—The Committee then ordered to report as in L. J., XIV. 408–9. The parties being

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recalled, it appeared from a statement by Simpson, which Reading did not deny, that Reading came to him, told him he was poor, and desired him to be his friend. He then lent him 50*l.* and used all the interest he could with the Commissioners to agree with him, and at last persuaded them to give him 500*l.* presently, and 1,000*l.* more out of the first profits of the Lincolnshire lands. Reading accepted the money, signed the articles, and gave every particular man a release. The Committee then vacated the order on Simpson and Wood to answer. Priv. Book, Dec. 3, 17, and 31, and Jan. 18.]

(*b.*) 11 Jan. 1689–90. Petition of Nathaniel Reading. Petitioner being heard before the Committee for Privileges, delivered articles of misdemeanour against the two attorneys complained of, for having among other things, on paying petitioner 427*l.*, extorted a release from him for above 14,000*l.*, and prayed to be heard by his counsel thereon. Lord Cornwallis being to make the report, petitioner besought his Lordship to deliver the petition on making it, and his Lordship promised to do so. But proposals being made to petitioner for accommodation, and petitioner resting therein, several meetings were held thereupon, and all particulars are almost agreed to. The report in the meantime being called for, and petitioner's petition not being given to his Lordship by reason of the said proposals, the petitioner thereupon stands ordered to be dismissed. Forasmuch as the said differences are in a manner settled, and the said dismission may obstruct the same, petitioner prays that in case the accommodation take not effect by such short time as their Lordships shall appoint, he may be then heard touching the validity of the said release and for other matters complained of. [On reading this petition this day, the House ordered that the words "without prejudice to any remedy he may have in Westminster Hall" should be added to the order made the previous day. MS. Min.]

480. Nov. 12. Writs of Summons, dated 9 Nov., to (*a*) John (Lake) Bp. of Chichester, and (*b*) William (Lloyd) Bp. of Norwich, who took the Oaths this day. L. J., XIV. 78.

481. Nov. 12. Downes v. Burton.—Writ of Error, &c. brought in this day. L. J., XIV. 79. *Parchment Collection.*

482. Nov. 12. Stapleton v. Stapleton.—Petition and Appeal of John Stapilton, of Warter, in the County of York, Esquire. Petitioner's grandfather Henry Stapilton, of Wighil, in the County of the City of York, settled the manor of Wighil in 1622 on heirs male. By this settlement the manor came to Sir Miles Stapilton, Robert's eldest son, who, through a prejudice conceived against Petitioner, made a new settlement with intent to cut off the entail. Sir Miles and his brother Henry, the only sons of Robert, being both dead without male issue, Petitioner's second brother Robert entered under the new settlement, and after his death Petitioner's third brother Henry. Thereupon Petitioner, the eldest son of Sir Philip Stapilton, Henry's second son, made his entry and claim to the manor, and brought his formedon in remainder, but not being able to discover who were the tenants of the freehold, the manor having been clandestinely conveyed in trust from one hand to another, is remediless at Common Law. Petitioner accordingly in 1683 brought his Bill in equity against Bennett Sherrard, Henry Stapilton and others, for discovery of the tenants, but his Bill was dismissed on 5 June 1684. The new settlement having been made voluntarily, and

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no purchaser therein concerned, Petitioner claims his right to recover. Prays that the decree of dismission may be reversed. L. J., XIV. 79.

483. Nov. 13. Walmesley v. Guardians of Bury School.—Petition and Appeal of Elizabeth Walmesley, of Kersley, in the County of Lancaster, widow. Henry Bury, Clerk, deceased, by his will of 22 Oct. 1634, gave 200*l.* for the use of Bury School, and made Roger Key and Edmond Holt his executors. Key, who survived, made Susannah his relict and James Walmesley his executors for the 200*l.*, and died in 1637. James Walmesley, who survived, by will in 1648 made Petitioner, his relict, executrix for his own estate, and Peter Holt and Thos. Whitehead, both feoffees of Bury School, executors for the 200*l.*, taking notice that the 200*l.* was put out at interest upon security, all but 8*l.*, which he directed Petitioner to pay. Petitioner proved the will, but Holt and Whitehead refused, so nobody intermeddled with the legacies. In 1653 a Commission for charitable uses decreed Petitioner to pay the 200*l.* and 100*l.* interest, but she having put in exceptions was left quiet till 1664, when Rich. Stones, Clerk, Roger Booth, and Roger Key, by the direction of the parishioners of Bury, took administration of James Walmesley's goods not administered by Holt and Whitehead, and cited Petitioner into the Consistory Court at Chester, where she delivered all the securities, and paid them the 8*l.*, upon which securities they received sums amounting to 100*l.* of the said 200*l.* and interest, and the other 100*l.* was at interest in the hands of one Mr. Holt of Ashworth, and was a good debt, if looked after in any reasonable time. In 1683 a new Commission of charitable uses issued, and decreed against Petitioner for 825*l.* Petitioner obtained an order for transmission of both decrees of 1653 and 1683 into the Duchy Court, but before the order was allowed, the Vice Chancellor on 18 Dec. 1683 ordered the last decree to stand confirmed, unless exceptions were brought within a month. The decree of 1683 was duly transmitted, but the other could not be found, and it was ordered that the first decree should be likewise transmitted in Easter term following, in the meantime all proceedings to be stayed. On 9 May, before Easter term ended, the School without notice moved that the decree of 1683 might be confirmed. Prays that the Guardians of Bury School may be ordered to answer, and that the decree may be reversed, and proceedings thereon stayed. L. J., XIV. 80.

484. Nov. 14. Sir R. Atkins v. Hastings.—Petition and Cross Appeal of Sir Robert Atkyns, K.C.B. Petitioner having been deprived of his remedy against Winford by the Judgment of the House of 13th Nov. (see No. **449**) prays that the part of the Decree, in part reversed by that Judgment, which relieves William Hastings of all liability in regard to the Manor of Wormley, may be reversed, so that Petitioner may recover against him, Hastings having given a particular acquittance for the receipt of 1,880*l.* at the full price of the estate, which was read in the House yesterday. Read this day. MS. Min. No entry in L. J. [Hastings' acquittance was read at the hearing of Winford's Appeal on the 13th. MS. Min.]

Annexed:—

(*a.*) 22 April 1687. Receipt of Appellant to Mr. John Walker for two letters of Thomas Winford acknowledging his purchase of the estate. Annexed to above Petition.

485. Nov. 17. Aubrey v. Bradnox.—Writ of Error &c. brought in this day. *Parchment Collection.* L. J., XIV. 85.

486. Nov. 18. De Verigny's Naturalisation Bill.—Draft of an Act for the naturalising of Thomas De Verigny. The Bill describes him as

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son of Lewis De Verigny, of Lowe, Normandy, in the Kingdom of France. [Read 1ª this day. L. J., XIV. 87. No further proceedings.]

487. Nov. 19. Denny v. Sir Robt. Filmer.—Petition of Wm. Denny Gent. John Kemp settled the Manor of Tremworth with appurtenances in Gomersham and Rucking, and the Advowson of the Church of Crundle, in Kent, as to two parts on his two sisters, Amy and Dorothy, and Sir Henry Mervin, and as to the third part on Josias Clerke. Mervin released his interest afterwards to Dorothy and to Amy and her husband Morris Tuke. Kemp, his sister and Tuke then mortgaged the Manor to Sir Robt. Filmer for 393*l.* Kemp died without redeeming the estate, and Amy also died, and Filmer mortgaged it for 950*l.* to Dorothy, who foreclosed and, on her marriage with Sir Wm. Denny, settled the remainder upon him and his heirs. Denny's reversion passed to his eldest son Sir William (to whom Clerke conveyed his third) and the whole estate thus passed ultimately to Petitioner, eldest son and heir of John Denny, Sir William's only brother and heir. Dorothy Tuke, as heiress of her mother Amy and her aunt Dorothy, Kemp's sisters, brought a Bill in Chancery for the Estate, and the Court decreed a trial at law. After Dorothy's marriage with Sir Robt. Filmer, a trial was had in 1651, but Sir Wm. Denny, being then obnoxious for his loyalty, recovered only Clerke's third of the estate; and Filmer and his wife, taking advantage of his being unable to proceed to a new trial, brought their Bill against him the same year and got a decree enrolled against him in his absence for the whole estate. Sir William, in 1661, after the Restoration, brought his bill of review, which was dismissed, and in 1677 he died. Petitioner, his heir-at-law, having retrieved the writings of the estate, brought his ejectment in 1682, but Respondents thereupon obtained an injunction, on pretence that Petitioner was bound by the decree; and on Petitioner's bringing an original Bill in Chancery to set aside that decree, his Bill was dismissed, and Petitioner was left to appeal to the Lords. Prays that the decree and dismission may be reversed. [Brought in this day. MS. Min.]

488. Nov. 19. Howard v. D. Norfolk.—Petition and Appeal of Esme Howard, Esq., Margaret his wife, and Elizabeth his daughter. Complains of a decree in Chancery of 20 June, 35 Car. II. in a cause wherein petitioners were plaintiffs, and Henry, D. Norfolk, the Lord Thomas, and others, their trustees, were defendants. The decree is wrong, inasmuch as the petitioner Esme ought to have been relieved against the releases gained from him by the late Duke Henry, and directions ought to have been given that all timber cut on the estate comprised within the fine ought to be brought into the account of the personal estate of the late Duke Thomas. Pray for leave to prosecute their appeal *in formâ pauperis*, and to have counsel assigned them, as was done in Chancery. [Read this day; the Appellant to be informed by the Lord who brought in the petition that some one must make oath as to his poverty. MS. Min. No entry in L. J., and no further proceedings.]

1686.

489. May 10. Prorogation.—Commission for further proroguing Parliament from this day to 22 Nov. next. *Parchment Collection.* L. J., XIV. 91. *In extenso.*

490. Nov. 22. Prorogation.—Commission for further proroguing Parliament from this day to 15 February next. *Parchment Collection.* L. J., XIV. 93. *In extenso.*

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1686–7.

491. Feb. 15. Prorogation.—Commission for further proroguing Parliament from this day to 28 April next. *Parchment Collection.* L. J., XIV. 95. *In extenso.*

1687.

1687.

492. April 28. Prorogation.—Commission for further proroguing Parliament from this day to 22 Nov. next. *Parchment Collection.* L. J., XIV. 97. *In extenso.*

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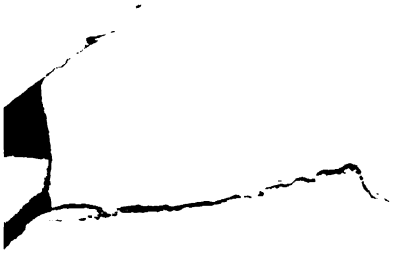

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INTRODUCTION.

CONSISTING of (*a.*) Books, (*b.*) Charters and Letters Patent, (*c.*) Deeds, Municipal and Private, (*d.*) Letters and Loose Memoranda, and (*e.*) Rolls and Miscellaneous Documents, the manuscripts belonging to the Corporation of Southampton, like the muniments of several of our other provincial municipalities, have been recovered from extreme confusion, and reduced to order at the instance of the Commission on Historical Manuscripts.

(*a.*) *Books.*—Of the 504 MS. volumes belonging to the Corporation, the most deserving of consideration are—(1) *The Oak Book*, exhibiting on 60 vellum leaves, in penmanship of the time of Edward the Second, the ancient Laws, Ordinances, and Customs of the town of Southampton; (2.) *The Black Book*, otherwise styled *Liber Niger nigro carbone notatus*, otherwise styled *Niger Papyrus*, otherwise styled *The Blak Papyr*, a large folio of Municipal Remembrances, that was used for the enrolment of acknowledgments of deeds from the 16th of Richard the Second to the 12th year of Elizabeth; (3.) A curious treatise in English verse *On The Philosopher's Stone and Aurum Potabile*, the manuscript being the performance of a fifteenth century copyist; (4.) the *Book of Remembrances of the Town of Southampton*, from the year of grace 1445 to the time of James the First, containing a characteristic memorandum of the pious observances with which the people of the borough returned thanks in the 2nd year of Henry the Seventh for the birth of the sovereign's first-born son; (5) the *Liber de Finibus ville Suthampton* from 1489 to 1593 A.D., affording particulars of the costs and charges incurred by the town for Queen Elizabeth's entertainment in 1569 A.D.; (6) the *Book of Oaths, Ordinances, and Burgesses's Admissions* from 1496 to 1794 A.D., affording in its records of admissions numerous *data* that may be serviceable to the future biographers of the more memorable of the eminent persons who during that period condescended to accept the franchise of the borough; (7) the *Book of Remembrances* from 1591 to 1689 A.D.; and (8) the imperfect series of

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Assembly Books, that afford many curious illustrations of the social life of the borough in the seventeenth century. Of the minor minutes of these last-mentioned folios few are more startling than the orders given to churwomen (*sic.*), to place themselves in regular service, if they would escape whipping. For instance, on 28th April 1615, "Mary Quinton a churwoman was this daie sent for to this house and charged to gett herselfe into service presentlie uppon payne of a whippinge." On the same day, two other churwomen were ordered "at their peril" to place themselves in domestic service within the next month. In the ensuing report extracts are given from all the afore-mentioned books. Notice is also taken in the same report of (1) the folio of the Letters that passed between John Flamsteed of the Greenwich Observatory and his friend William Molyneux, the Dublin mathematician, from 2nd September 1681 to 10th May 1690, and (2) the Letter Book of Samuel Molyneux, of Trinity College, Dublin, containing copies of letters interchanged by Samuel Molyneux and his scientific friends between 9th January 1707 and 19th December 1709.

(*b.*) *Charters and Letters Patent.*—Opening with a charter dated by King John to his burgesses of Southampton in the first year of his reign, the collection of Charters and Letters Patent comprises fifty-eight several writings, one of the more interesting of them being the Letters Patent of the Exemplification (13 Feb., 2 Henry V.) of the enrolment, on the roll of the last parliament, of the petition of the burgesses of Southampton to the King for a diminution of their burdens, together with the sovereign's reply to the prayer.

(*c.*) *Deeds, Municipal and Private.*—Consisting, for the most part, of documents of strictly local significance and interest, that may be serviceable to future historians of the borough, and will not fail to afford some measure of entertainment to the Hampshire antiquaries, but have no claim to be rated with important historical evidences, the large assemblage of writings, catalogued under "Deeds, Municipal and Private," comprises matters of higher moment and value in (1) the Indenture of the Agreement, made on 13 July, 13 Edward III., between Edward the Black Prince of the one part and Thomas Beauchamp, Earl of Warwick, of the other part, for the safe keeping of the town of Southampton, with lists of the men-at-arms and archers under the Earl's command at Southampton, from the 25th of July to the 25th of August in that year; (2) the Indenture of the Agreement, made 31st December, 42 Edward III., at Farnham, in the diocese of Win-

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chester, between William of Wykeham of the one part, and the Mayor and the Community of Southampton of the other part, for the observance of ordinances and agreements for cessation from business in the said town during the fairs held yearly at St. Giles's Hill, near the City of Winchester; (3) the Indenture of a curious agreement, by way of a marriage settlement, made on 10 May, 2 Henry IV., between William Lelham "dominum de Grove" and his wife Cecilia of the one part, and John Benet of Oxford, cook, of the other part, in anticipation of the marriage of William Lelham (son and heir of the aforesaid William) with Juliana, daughter of the said John Benet; and (4) the remarkable Letters of Evidence, dated by John Ingler, Mayor of New Salisbury, on 2 December, 18 Edward IV., touching the testament of the late William Nycoll, sometime burgess and merchant of Southampton, and setting forth the circumstances under which the said William Nycoll's hand was used fraudulently for the sealing of a certain deed of enfeoffment, and certain letters of attorney for livery of seisin, when he was so completely *in extremis* that "his wittes were passed away and mynde allso so that he nother herd sey spake nor made any signe or tokene thereto to knowleiche"; it being alleged in the same Letters of Evidence that this fraud was committed by certain persons conspiring to compass the disinherison of the testator's niece 'Alice,' "the whiche was weddyd to a bondeman at Twyford."

(*d.*) *Letters and Loose Memoranda.*—It is for the writings, catalogued under this heading in the ensuing report, that the Southampton MSS. are especially deserving of the consideration of historical students. Opening with letters dated under the sign manual and signet of Henry the Sixth, the goodly show of privy seals, sign manuals, and bills prepared for the sovereign's signature, described in the earlier pages of the catalogue, comprises seven writings under the sign manual and signet of Edward the Fourth, eight writings of the same kind by Richard the Third, one by Henry the Seventh, five by Henry the Eighth, and one by Edward the Sixth, in all, twenty-three sign manuals. The letters so dated by Richard will not fail to arrest and hold the attention of readers. Beginning with letters, dated before Richard's accession to the throne, to the Mayor of Southampton, this remarkable assemblage of epistles by a sovereign, whose sign manuals are not plentiful, comprises an epistle dated to the Mayor, Sheriff, and Aldermen of Southampton on the 13th of October in the first year of the sovereign's reign, and running in these words.

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"Trusty and welbelowed, we grete you wele, and let you wit that the Duc of Buckingham is tratorously turned upon us contrary to the deutie of his liegeaunce and entendith thutter distruccion of us, you, and alle othre our trewe subgiettes that have taken oure part, whose traiterus entent we with Goddes grace entend briefly to resist and subdue. Pray you hertly therefore and naithles upon your leigeaunce charge you that with as many as ye may reise and make in defensible array on horsbak ye do sende to be with us at our Citie of Coventre the xxii day of this present moneth withouten faile in any wise as ye tendre our honnour and your owne wele, and we shall soo see to you for your reward and charges, as ye shal hold you right wele content. Yeven under our signet at our Citie of Lincoln the xiii day of Octobre." The series of Richard's epistles to the people of Southampton closes with the letters for the seizure of seditious bills and the arrest of seditious speakers, dated under his sign manual and signet to the Mayor and his brethren of the town on 5th April 1485, and running in these words:—"Trusty and Welbiloved We grete you wele, And wher it is soo that diverses sedicious and evil disposed personnes both in our citie of London and elliswhere within this our Reame enforced thaymself dailly to sowe sede of noyse and dislaundre ayenst our persoune and ayenst many of the lordes and estates of our landes, to abuse the multitude of our subgiettes, and averte thaire myndes from us if they coude by any mean attaigne to that thaire mischevous entent and pourpos, somme by setting up of billes, some by messages and sending furth of fals and abhominable languages and lyes, somme by bold and presumptuous open speche and comitacioun oon with othre, Wherethurgh the innocent people, which wold lyve in rest and peax and truly under our obeissance, as thay ought to doo, be greatly abused and oftentymes put in daunger of their lifes, landes, and goodes as ofte as thay folowe the steppis and advises of the said sedicious and myschevous personnes to our great hevinesse and pitie, For remedie whereof and to thentent the trouth openly declared shuld represse al such fals and continued invencions, We now of late called us the Maire and Aldremen of our Citie of London, togidre with the moost sadde and discrete personnes of the same citie in great nombre being present, many of the Lordes spirituel and temporall of our land and the substance of al our houshold to whom We largely shewed our trewe entente and mynde in al suche thinges as the said noyse and disclaundre ronne upon, in

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such wise as We doubt not, al wele disposed persounes were and bee right wele content with, Wher we also at the same tyme yave straitly in charge aswele to the said Maire as to al othre our officers servantes and feithful subgettes Whersover they be that from hensforth as often as they finde any persoune speking of us or any othre lord or estate of this our land othrwise than is according to honour, trouth, and peax and restfulnesse of this oure Reame, or telling of talys and tidinges Wherby the people myght bee stirred to commocions and unlawful assembles, or any strife and debate aryse betwix lord and lord or us any of the lordes and estates of this our land, thay take and arreste the same persoune unto to the tyme he have brought forth hym or thaym of whom he understode that that soo is spoken and soo proceeding from oon to othre unto the tyme the furst auctor and maker of the said sedicious speche and language be taken attached and punisshed according to his defautes, and that Whosoever furst fynde any sedicious bille sette up in any place he take it down and without redyng or shewyng the same to any othre persoune bring it furthwith to us or somme of the Lordes or othre of our Counsaill, all which direccions, charges, and commandements, so by us taken and geven by our mouth in our Citie of London, We notifie unto you by these our lettres to thentent that ye shewe the same within al the places of your jurisdiccioun, and see ther the due execucioun of the same from tyme to tyme, as ye wol eschewe our grevous indignacioun and answer to as at your extreme perelles. Yeven undre our signet in our Citie of London the vth day of Aprile." Amongst the one hundred and twenty-seven more or less noteworthy writings described in this catalogue after the notices of the royal letters, the searcher of the Southampton archives comes upon epistles by Nicholas Holmage [*alias* Holmegge], W. Clerk, and Richard Gryme, Mayors of Southampton in the time of Henry the Sixth, and letters from Lords of the Council *temp.* Henry VIII., Edward VI., Elizabeth, James I., and Charles the First. That the Southampton archives have proved so rich in historic letters is the more remarkable, because no inhabitant of the town was aware of the existence of these particular writings, until they came to light during the inspection that was made of the muniments of the borough by the inspector of the Commission.

(*e.*) *Rolls and Miscellaneous Documents.*—With a single exception, the Southampton Rolls are comparatively unimportant;

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but the single exception, the Roll of the Account of John Bentham, steward of the town, from Michaelmas, 7 Henry VI., to Michaelmas, 8 Henry VI., is a record to be examined no less carefully by general students of our social history than by annalists of the particular community to which it pertains.

Though it preserves no bundles of personal correspondence, and is poor in respect to several kinds of manuscripts, for which some collections of municipal writings are chiefly valuable, the King's Lynn muniment-room possesses in its Hall Books (beginning with the famous Red Register, 35 Edw. I. to 19. Ric. II.), and in certain of its Letters Patent and corporate indentures, a body of evidences that should be examined by students who would observe the constitutional growth and social life of the boroughs of medieval England. It has also in its Chamberlain's Accounts and Trinity Gild Rolls, an assemblage of records that are of inferior moment to students, only because successive antiquaries have done so much more for the sufficient exhibition of their most interesting particulars. That the Hall Books have hitherto missed the proper share of attention is the more surprising, because in a well known letter which was published so long since as 1832, in the Transactions of the Royal Society of Antiquaries, the late Mr. Hudson Gurney gave our constitutional historians to understand that it would be worth their while to examine the volumes of which he spoke at second hand. The epistle which showed that at least on two occasions in Henry the Sixth's reign the parliamentary burgesses of Bishop's Lynn were chosen by a committee of twelve men of the borough, created no appetite for a larger measure of information respecting the electoral usages of the Norfolk town; and the length of the period is only now ascertained, during which the burgesses of parliament for Lynn appear from the records of the corporation to have been usually, if not invariably, chosen by a committee of twelve persons, and also to set forth the extent of the much longer period during which the ordinary freemen of the borough, the burgesses at large as they were disdainfully designated in the seventeenth century, had no direct voice in choosing the parliamentary representatives of their municipality. From an entry in the Red Register, it appears that on 9th October, 48 Edw. III., a committee of twelve burgesses made choice of Robert Bathe

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and John Waryn, to attend the parliament as the representatives of Bishop's Lynn. Two years later (50 Edw. III.), John Dockyngg and Thomas . . . . (his surname has vanished from the defaced record) were in like manner selected for parliamentary service by a committee of twelve persons, appointed to choose two fit and proper burgesses to attend the King's parliament. Henceforth to Henry the Eighth's time, all the persons, whose elections to serve the borough as burgesses of parliament are recorded in the extant archives of the municipality, were chosen for that purpose by a committee of twelve individuals, taken from the ruling body of the borough, whether that body consisted (as it did till the eighth year of Henry the Fifth) of twenty-four jurats, or of the "twenty-four" jurats and a subordinate council of "twenty-seven" burgesses chosen yearly from the nine constabularies of the town (viz., three representatives for each constabulary), in accordance with the concessions made in 8 Hen. V. to the burgesses of Lynn by their lord, the Bishop of Norwich. The precise year of the last of these elections of parliamentary burgesses made by a committee of twelve does not appear. But, though burgesses of parliament for the borough were so chosen in the 1st and 3rd years of Henry VIII., the practice of electing parliamentary representatives by a committee appointed for the purpose was nearing its end. On 31st March, 14 Hen. VIII., instead of being elected by a committee, Mr. Thomas Miller and Mr. Bewshere were chosen to serve the borough in parliament by a majority of "the twenty-four" and "the twenty-seven;" and from this date the searcher of the Hall Books comes upon no evidence of a revival of a usage, that seems to have been the invariable method of making elections of this kind from the time of Edward the Third, and may have originated in the 7th year of Edward II., when a congregation of the burgesses appointed a committee of twenty-six persons to elect twelve of the more sufficient individuals of the community, to make provision in respect to all business touching the borough in the King's parliament and elsewhere.

The practice of electing parliamentary representatives by a committee having thus come to an end in the time of Henry the Eighth, elections of that kind were henceforth, till the middle of the seventeenth century, made by the ruling burgesses at congregations, specially summoned for the purpose. This change of electoral practice was followed at a brief interval by the charter dated on 27th June, 16 Henry VIII., for the reconstitution

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of the borough, a measure that, abolishing the ancient council of "the twenty-four" jurats and the subordinate council of "the twenty-seven" representatives of the constabularies, replaced them with a court of twelve aldermen and a court of eighteen common councilmen. Thus reconstituted the municipal assembly, or "this House" as it is usually styled in the Hall Books, kept the right of electing burgesses of parliament in its own hands no less tenaciously and exclusively, than "the House" of "the twenty-four" and "the twenty-seven" had held the same privilege, to the exclusion of the inferior burgesses from participation in the power of choosing the parliamentary representatives of the community. None the less for the reconstitution of the borough were the burgesses at large, viz., the freemen who were neither aldermen nor common councilmen, shut out from the parliamentary franchise. Chosen by "the House," taking their wages at various rates from "the House," and holding communication on parliamentary matters with "the House" and no other body of the townspeople, the members of parliament for the borough regarded themselves as responsible only to "the House" and as in no way under an obligation to consider the wishes or to study the feelings of the burgesses, who were not "of the House." That this state of things lasted to the revolutionary period of the 17th century appears from the abundant testimony of the Hall Books. But that the "burgesses at large" not only asserted their right to vote at the elections of their parliamentary representatives, but exercised the right in 1640, is shown by the Order of the Commons House of Parliament, dated 15th Oct. 1642, which required the mayor, aldermen, and common council of King's Lynn to "pay and allowe out of the towne stocke as formerly unto John Percevall and Thomas Toll their burgesses, for this present parliament, as lardge an allowance per diem as they heretofore allowed any of their aldermen that hath bene burgesses in parliament for that towne, *notwithstanding the freemen of the towne had their voyces in the choice of the said John Percivall and Tho. Toll to be their burgesses for this present parliament.*" During the years, that intervened between the election of these last-named parliamentary burgesses and the choice of members for the first parliament to meet after Charles the Second's restoration, the question of the right of the "burgesses at large" to vote at such elections was a source of much contention amongst the keener politicians of the borough.

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From the wording of a municipal order (8 September, 1649) touching the election, it seems that the burgesses-at-large took part in the choice of the Earl of Salisbury to be a parliamentary burgess for King's Lynn; for whilst the order represents that "the House" granted the Earl the freedom of the burgh, it adds that "the cominalty of the burgh hath elected him a burgess "of the parliamentt of England." But in August, 1656, General John Desbrow and Major-General Phillip Skippon were chosen burgesses of parliament for the borough by the municipal "house," without the co-operation of the mere freemen; and on the 11th of the next month it was ordered by the mayor, aldermen, and common council "that Mr. John Horsnell of London be sent unto by this house as their solicitor in this behalfe to attende upon the Committee of Previledges at Westminster to make good this house's auncient custom of electing of burgesses to set in parliament, and that an abbreviate of the records be sent up to him in order to his prosecution of the same." That the decision of the Committee of Privileges favoured the claims of the house may be inferred from successive entries in the Hall Books. In the several ensuing elections that preceded the King's restoration the freemen at large seem to have had no share. On 19th Dec., 1656, Sir John Thorowgood was chosen to be a burgess of parliament by "this house." In like manner on the 3rd of Jan. 1658, Mr. Toll and Captain Griffith Lloyd were chosen burgesses of parliament for King's Lynn by the "mayor, aldermen, and common council," though "several burgesses of this burrough of the commons at large" appeared at the town-hall and requested that they might be allowed to take part in the election. On this occasion, after considering the claims and arguments of the petitioners, and before proceeding to the election of the members who were in due course chosen, the governing body of the corporation came to a recorded judgment "that the right of election of the said burgesses is at present in this house according to the aforesaid order" (viz., the Order of the Committee of Privileges and the Parliament). But on 16th April, 1660, yielding to another demonstration of sentiment on the part of the "burgesses at large," the House decided that, for the present election, and without prejudice in coming time to the ancient right and custom of the Assembly, the mere freemen should be permitted to vote; the record of this remarkable concession running in the Hall Book in these words, "Whereas Mr. Mayor hath this day caused a Common Hall to be warned in order to the elec-

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tion of burgesses to serve in parliament to be houlden at Westminster and severall of the members of the House being mett together in this House, divers of the free burgesses of this burgh came and requested that they might be admitted to elect burgesses as theire right, which being taken into consideration this house doth think fitt for the present satisfaction of the people to suffer the commons to elect, and to wave the election in this house for this present election." Having thus yielded to popular feeling for a single turn, the ruling body of the corporation never again ventured to exclude the mere freemen from proceedings for the choice of parliamentary burgesses. The practical effect of this tardy concession, which implied the existence of a dormant right in the populace who had for successive centuries been prevented from exercising it, was that the freemen at large were admitted to the franchise without any parliamentary enactment for their enfranchisement.

In their orders and other memoranda, touching the payment of members of parliament, the King's Lynn Hall Books preserve several matters to be considered by social historians. Changing with the gradual depreciation of current money, the wages paid to burgesses of parliament for the borough rose from two to five shillings a day to each burgess, for each day spent either in attendance on the parliament, or in travelling to or fro between the parliament or the borough; and in a few cases the municipal allowance to a burgess of parliament was as much as ten shillings a day. On his election to represent the borough in parliament, Sir Robert Hitcham, Anne of Denmark's attorney-general and judge of the county-palatine of Ely, undertook to serve the borough gratuitously; in consideration of which tender care for their pecuniary resources the corporation, on the occasion of his passing through the town on his way to Ely in July 1610, entertained lawyer handsomely and gave him a gratuity of twenty pounds. Four years later the Mayor of Lynn, by a municipal order dated 20th June, 1614, was "allowed for his burgis wages for every day wherein he served this last parliament the sum of tenne shillinges per day," it being noted in the memorandum that "he went from hence the first of Aprill last and returned the xi of June next following." In December 1620, on the election of Mr. Matthewe Clark and Mr. John Wallis, two aldermen of the corporation, to serve as parliamentary burgesses, it was ordered with the same excessive or at least unusual liberality "that either of the said burgesses shall have for their wages

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tenne shillings for every day of the said parliament and for every day of their traveill outward and homeward." It does not appear whether the exceptional magnitude of these three allowances was due to exceptional circumstances. Anyhow, though the House of Commons in 1642 ordered the Mayor, aldermen, and common council of King's Lynn to pay their then burgesses, Messrs. John Percevall and Thomas Toll, "as lardge an allowance per diem as they have heretofore allowed any of their aldermen that have been burgesses of parliament for that towne," the municipal house had no regard for the munificence, shown to the Mayor in 1614, and to Messrs. Clark and Wallis in 1620, in ordering the wages of Messrs. Percevall and Toll, who each received five shillings a day and no more for parliamentary service from the borough treasurer.

A curious and instructive view of the dissensions and rivalries, that troubled the inhabitants of Lynn (Bishops Lenn as the borough was then styled) in the fifteenth century, is afforded by the Inspeximus dated 25th Nov., 14 Henry IV. (*vide* pp. 191 to 194) of a memorandum touching certain decrees, made by Thomas Archbishop of Canterbury and Lord Chancellor upon certain discords and controversies between divers of the Potentiores of Bishop's Lenn of the one part and the Mayor, burgesses, and community of the other part, respecting certain oppressions and extortions committed by the said "potentiores" on the said Mayor, burgesses, and community. From this remarkable record it may be seen how the inhabitants of the little borough were not only historically divisible, but were sharply and hardly divided into three several orders, styled respectively the Potentiores, the Mediocres, and the Inferiores *non* Burgenses, and how these three classes were so rigidly defined, and their respective members so precisely catalogued, that it was known to every man of them, and to all his acquaintance, to which of the three orders he belonged. Further information respecting the feuds and discords, that stirred the rival classes in the same period of the borough's history, may be gathered (*vide* pp. 195 to 203) from the Exemplification, dated 2 June, 4 Henry V., of a certain instrument for the revocation of divers new ordinances and constitutions, and for the re-establishment of the ancient constitutions and customs, for the election of officers in the town of Bishops Lenn. Devised and established in the interest of municipal peace though they were, the new ordinances and constitutions made matters so much worse, and especially so by rendering

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quarrels fiercer and spites more rancorous, that in the opinion of the townspeople, or at least in the judgment of the prevailing party of the borough, it was needful to abolish them utterly, in order to recover the town from evils that threatened it with quick destruction. A few years later (8 Henry V., *vide* pp. 245, 246) a better remedy for the insolence of the jurats, and the passionate discontent of the poorer burgesses and other inferior inhabitants of the town, was devised by the Bishop of Norwich, when he established the annually elected common-council of "the twenty-seven," in order that, in respect to taxes for the sovereign and talliages for local charges and necessities, the populace of the nine constabularies should not be left completely at the mercy of the jurats, who were invariably drawn from the overbearing Potentiores. If they were not wholly wanting in the virtues, it is manifest from earlier records of the community that the Potentiores were not wholly exempt from the failings, of a dominant class. It indicates the spirit in which they dealt with the meaner freemen and the unenfranchised residents of their town, that in the 33rd year of Edward the First, they were at pains to procure Letters Patent under the great seal of "Pardon and Release" (*vide* p. 187) "to the burgesses of Lenn, in respect to all trespass, &c. said to have been done by them in assessing divers talliages on the community of the said town, without the unanimous consent of the same community, and in levying the same talliages from the poor and but moderately endowed men of the same community, and other great sums under colour of certain common fines, heretofore made by them for divers causes, beyond the sums to which the same fines extended themselves, and in converting to their own use, and not to the advantage of the said community, nor to the corporation of the same town, a great part of the same talliages and other different sums of money formerly levied in the same town, as well by occasion of the aforesaid fines as by occasion of murage granted unto them" by the Crown. In the composition made a few years later (October, 3 Edward II.), between the Bishop of Norwich of the one part and the Mayor and community of the town of Lenne of the other part, it was especially provided, for the correction of the extortionate disposition of the Potentiores and for the fairer treatment of the Mediocres of the community and of the Inferiores *non* Burgesses of the town, that the mayor and community should henceforth cease to exact from the poorer people of the place such immoderate "taskes and

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tallyages unleeful and unresonable grevous," as had heretofore been put "by the grete men of the towne aforesaid upon the mene peple and the povere to their oppression and hyndryng." The Potentiores having shown themselves thus greedy and rapacious, it was well alike for them and their victims, when the Bishop, as Lord of Bishop's Lenne, empowered the more numerous but feeble folk to vote yearly for the twenty-seven representatives, without whose concurrence the hitherto unbridled jurats should henceforth be powerless to settle the assessments of such taxes as tenths and fifteenths, or of sums to be levied within the borough for repairs of houses, walls, bridges, watercourses, and other local charges.

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HISTORICAL MANUSCRIPTS COMMISSION.

THE MANUSCRIPTS OF THE CORPORATION OF THE TOWN OF SOUTHAMPTON.

THE Southampton muniments were found by the present inspector in a state of disorder, which caused him (after working for some time upon them) to represent to the local authorities, that the difficulty of examining so large an assemblage of records would be greatly diminished by preliminary measures for their needful arrangement. Taking the same view of the case, and accepting the suggestion in the spirit that animated them in every stage of a business, which occasioned them no little inconvenience, the Town Council forthwith invited me to put the writings in order at the charge of the Corporation, and, assigning to my use the large committee room, adjoining their Council Chamber, lost no time in fitting it with an enormous table, made of planks and tressels, strong enough to bear the weight of a large and heavy pile of books and unbound documents, whilst it at the same time afforded sufficient space for sorting the multifarious evidences. Fortunately no large proportion of the manuscripts had been injured by damp or rodentia; and as most of the records had been preserved in closely fitting cases, the labour of reducing them to order was attended with no excessive discomfort from dust and dirt. Comparatively free from mould and rot, the miscellaneous writings were upon the whole a cleanly and well-kept body of muniments, but their confusion was so complete that six weeks were spent in sorting and labelling the books and unbound documents, before I could dispense for awhile with the services of clerk and porter, and returning to the ways of ordinary official labour could enter on the inspection of the—

(*a.*) *Books*,
(*b.*) *Charters and Letters Patent*,
(*c.*) *Deeds, Municipal and Private*,
(*d.*) *Letters and Loose Memoranda*,
(*e.*) *Rolls and Miscellaneous Documents*,

described in the ensuing catalogues.

(*a.*) BOOKS.

I.—List of Books in the Southampton Muniment Room.

Vols.

(1.) Edward II. The Book of Laws, Ordinances, and Customs of the Town of Southampton, known in the annals of the borough as "The Oak Book," containing at the present time sixty vellum leaves, clog-covered. Of this highly interesting book the Reverend Silvester Davies (M.A., F.S.A., Vicar of St. James's, Enfield Highway), in his well-designed and carefully executed "History of Southampton: Partly from the MS. of Dr. Speed, in the the Southampton Archives," (1883), remarks, "The "earliest version of the ordinances of the Guild Merchant

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MSS. OF THE TOWN OF SOUTHAMPTON.

Vols.

" is to be found in an ancient and curious volume, which " is one of the most interesting of the town records. It " is a small quarto on vellum, bound in oak covers, one " being much longer than the other, and having a square " hole in the lower part to put the hand through while " using the volume. On the outside are a couple of " merchants' marks. The ordinances commence at the " top of folio 10, and are written continuously without any " break to the fifth line of folio 20, the heading of each " bring in rubric. The handwriting is apparently that " of the first part of the fourteenth century. Prefixed " to the ordinances, on folio 9, is the guildsman's or " burgess's oath, in which mention is made of a mayor, a " title which does not occur in the ordinances themselves. " The oath which is in rubric and in a larger hand than " the rest appears to be of the same age. The ordinances " are of various dates, some of them probably belonging " to the earliest period of the Guild. This book was " noticed by the late Mr. Thomas Wright in Winchester " volume Brit. Archæol. Assoc., 1846, where is also a " drawing of the covers by Mr. Fairholt. A table of " contents is to be found in the Record Commissioners' " Report" - - - - - 1

(2.) Edward III. to Richard II. Calendar of Letters Patent dated in or between the reigns of the said kings - 1

(3.) Richard II. to Elizabeth. "The Black Book" of the Town of Southampton. Further particulars of this volume appear on subsequent pages of this catalogue - - 1

(4.) 15th Century. Treatise in English Verse on the Philosopher's Stone and Aurum Potabile, in twelve chapters, with a Preface, and concluding " Recapitulacio totius " operis." Further particulars of this volume appear on a subsequent page of this catalogue - - - 1

(5.) Henry VI. to Elizabeth. Brokage Books: Yearly Accounts of Receivers of Toll and Dues at the Bar-gate:—

Temp. Henry VI.	- Three books	-	3
„ Edward IV.	- Seven books	-	7
„ Henry VII.	- Three books	-	3
„ Henry VIII.	- Eight books	-	8
„ Edward VI.	- Four books	-	4
„ Mary -	- Four books	-	4
„ Elizabeth	- Three books	-	3
Twenty-seven dateless and otherwise defective books of the fifteenth and sixteenth centuries -	- - -	-	27
			59 - 59

(6.) Henry VI. to George III. Port Books: Yearly Accounts of Water-Bailiffs and Receivers of Petty Customs of the Port of Southampton:—

Temp. Henry VI.	- Sixteen books	-	16
„ Edward IV.	- Three books	-	3
„ Henry VII.	- Five books	-	5
„ Henry VIII.	- Fifteen books	-	15
„ Edward VI.	- Four books	-	4

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		Vols.	
Temp. Mary - - Four books -	4		
„ Elizabeth - Thirty-seven books -	37		
Thirteen dateless and otherwise defective books of the sixteenth century -	13		
Temp. Charles I. - Two books -	2		
„ George II. - Four books -	4		
„ George III. - Three books -	3		
	106		106

(7.) Henry VI. to Charles II. Stewards' Books: Yearly Accounts of Receipts into and Disbursements from the Town treasury:—

Temp. Henry VI. - Nine books -	9	
„ Edward IV. - Nine books -	9	
„ Richard III. - Two books -	2	
„ Henry VII. - Seven books -	7	
„ Henry VIII. - Fifteen books -	15	
„ Mary - - Two books -	2	
„ Elizabeth - Seven books -	7	
„ Charles I. - One book -	1	
„ Charles II. - One book -	1	
	53	53

(8.) Edward IV. to George III. Town Court Books:—

Temp. Edward IV. Four dateless and otherwise defective books - - -	4	
Town Court Book 1482–3 A.D. - -	1	
„ „ 1566 A.D. - -	1	
„ „ 1572–3 A.D. - -	1	
„ „ 1589–91 A.D. - -	1	
„ „ 1603–13 A.D. - -	1	
„ „ 1618–26 A.D. - -	1	
„ „ 1621 A.D. - -	1	
„ „ 1631 A.D. - -	1	
„ „ 1637–46 A.D. - -	1	
„ „ 1638–50 A.D. - -	1	
„ „ 1651–61 A.D. - -	1	
„ „ 1662–68 A.D. - -	1	
„ „ 1677–94 A.D. - -	1	
„ „ 1694–1701 A.D. -	1	
„ „ 1695–1707 A.D. -	1	
„ „ 1708–30 A.D. - -	1	
„ „ 1731–66 A.D. - -	1	
	21	21

(9.) 1445 A.D. to James I. Book of Remembrances of the Town of Suthampton - - - - - - 1

(10.) 1455 A.D. Terrier of the Tenements, &c. within the walls of the town of Suthampton - - - - 1

(11.) 1473–8 A.D. Book of Oaths and Ordinances of the town of Suthampton - - - - - - 1

(12.) 1482 A.D. Assize of Bread Book - - - 1

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MSS. OF THE TOWN OF SOUTHAMPTON.

Vols.

(13.) 1488 to 1597 A.D. Book of Remembrances of the town of Suthampton. Used in later time (1708–56 A.D.) as an Admiralty Court Book - - - - - 1

(14.) 1489 to 1593 A.D. Liber de finibus ville Suthampton. The Book of fines, perquisites, forfeitures, and casualties - - - - - - - 1

(14.) 1495 A.D. Terrier of the town of Suthampton - - 1

(15.) 1496 to 1554. Four Weighing-books of 1496, 1533, 1545, and 1554 A.D. - - - - - - - 4

(16.) 1496 to 1704. Book of Oaths and Ordinances of the town of Suthampton: With burgesses' admissions - - 1

(17.) 16th Century. Book of common forms and precedents for the convenience and use of legal draughtsmen - 1

(18.) 1517 to 1592 A.D. The Boke of Remembrances of the town of Suthampton - - - - - - 1

(18.) 1525–98 A.D. Liber Debitorum ville Suthampton: Book of debts of the town of Suthampton - - - 1

(19.) 1535 to 1782. Mayors' Books of receipts and disbursments: Yearly Accounts of 1535–6, 1541–2, 1562–3, 1566–7, 1574–5, 1580–1, 1581–2, 1603–4, 1610–11, 1616–17, 1631–2, 1633–4, 1634–5, 1636–7, 1638–9, 1645–6, 1647–8, 1654–5, 1658–9, 1660–1, 1661–2, 1662–3, 1669–70, 1671–2, 1674–5, 1679–80, 1704–5, 1707–8, 1708–9, 1709–10, 1710–11, 1712–13, 1717–18 1721–2, 1723–4, 1724–5, 1727–8, 1730–1, 1731–2, 1734–5, 1737–8, 1738–9, 1744–5, 1746–7, 1752–3, 1757–8, 1760–1, 1763–4, 1766–7, 1767–8, 1768–9, 1769–70, 1771–2, 1772–3, 1773–4, 1774–5, 1776–7, 1777–8, 1781–2 A.D. - - - - - - 59

(20.) 1544 to 1589 A.D. Ten Muster-Books of 1544, 1555, 1567, 1579, 1583 and 1589 A.D. - - - 10

(21.) 1552 to 1580 A.D. Seven Linen-Hall Account-books of 1552–5, 1556, 1557, 1560, 1564, 1569, 1580 A.D. - 7

(22.) 1550 to 1796. Imperfect series of Court Leet (Cutted Thorn) books - - - - - - 100

(22.) 1554 to 1584 A.D. Nine Woollen-Hall Account books of 1554–5, 1569–70, 1570–1, 1572, 1574, 1574–5, 1575–6, 1581–2, 1583–4 - - - - - - 9

(23.) 1559 A.D. Assize of Bread book - - - 1

(24.) 1559 to 1567 A.D. "Stall-and-Art" and "Presentments" book - - - - - - - 1

(25.) 1576 to 1586 A.D. Robert Knaplocke's "Liber Instrumentorum," *i.e.* Book of legal evidences - - - 1

(26.) 1575 to 1586 A.D. Four Mayors' Books: of yearly remembrances, with examinations and depositions - 4

(27.) 1576–7 A.D. Book of examinations, informations, and depositions - - - - - - - 1

(28.) 1582 A.D. City of Winchester Pied Poudre Court book - 1

(29.) 1590 A.D. Book of depositions - - - - 1

(30.) 1591 to 1689 A.D. Book of Remembrances of the town of Southampton: With records of orders and proceedings in municipal assemblies - - - - - 1

(31.) 1592–4 A.D. Book of examinations, recognizances, and depositions - - - - - - 1

(32.) 1592 to 1617 A.D. Liber Debitorum ville Suthampton: Audit Accounts book of the town of Suthampton - -

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		Vols.
(33.)	1596 A.D. Assize of Bread book	
(34.)	1601–2 A.D. Book of examinations, informations, and depositions	1
(35.)	1602–3 A.D. Assembly Book: of orders and proceedings in municipal assemblies	1
(36.)	1606–7 A.D. Assembly Book: of orders and proceedings in municipal assemblies	1
(37.)	1609 to 1705 A.D. Book of Apprentices: a register of the poor children bound apprentices by the Mayor, aldermen, and assistants of the town of Southampton	1
(38.)	1609 to 1737 A.D. Book of Apprentices; a register of "all persons bound Apprentices in the town of Southampton"	1
(39.)	1613 to 1725 A.D. Register of the Free Commoners of the town of Southampton	1
(40.)	1617 A.D. Survey of the lands and tenements of the corporation of the town of Southampton	1
(41.)	1619 to 1635 A.D. Sessions of Peace Book	1
(42.)	1622 to 1643 A.D. Book of examinations, informations, and depositions	1
(43.)	1625 to 1702 A.D. Grants from the Crown for termes of yeares; in two parts. Part I. from 1625 to 1685 A.D., and Part II. from 1685 to 1702 A.D.	1
(44.)	1632 to 1648 A.D. Book of Recognizances of the town of Southampton	1
(45.)	1638 to 1666 A.D. Town of Southampton "Lease-Ledger"	1
(46.)	1642 to 1678 A.D. Assembly-Book: Book of orders and minutes of proceedings in municipal assemblies	1
(47.)	1643 A.D. Book of Accounts of the estate of the late John Parkinson, Esq., "Felo-de-se"	1
(48.)	1643 A.D. Terrier of the town of Southampton	1
(49.)	1646 to 1672 A.D. Liber Debitorum ville Southampton; Book of the debts of the town of Southampton	1
(50.)	1647 to 1652 A.D. Assessments Book	1
(51.)	1648 to 1663 A.D. Book of examinations, informations, and depositions	1
(52.)	1661 A.D. Book of subscriptions and contributions in aid of the King	1
(53.)	1663 to 1668 A.D. Book of examinations, informations, and depositions	1
(54.)	1666–7 A.D. Alehouse Recognizances book	1
(55.)	1669 to 1689 A.D. Book of examinations and recognizances, and of proceedings at Sessions of Peace	1
(56.)	1679 to 1734 A.D. Book of Orders and minutes of proceedings of municipal assemblies	1
(57.)	1681–8 A.D. Book of the correspondence of John Flamsteed and William Molyneux	1
(58.)	1681 A.D. Translation from Latin into English, by William Molyneux for his father's use, of Evangelista Torricellio's treatise "Of the Motion of Heavy Bodys, naturally falling and projected"	1
(59.)	1694 A.D. Assize of Bread book	1
(60.)	———. Translation into English, by William Molyneux, of Galileo's Dialogues	1
(61.)	18th Century. Book of extents and particulars of manors in the county of Cornwall	1

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MSS. OF THE TOWN OF SOUTHAMPTON.

		Vols.
(62.)	18th Century. Dr. Bulkeley's Treatise of Trees and their Culture	1
(63.)	1703 to 1721 A.D. Book of oaths and ordinances of the town of Southampton: With records of Burgesses' Admissions to the franchise of the town, and of minutes of proceedings in municipal assemblies	1
(64.)	1704 A.D. Notes and materials for the History of Ireland	1
(65.)	1707 to 1709 A.D. Letter-book of Samuel Molyneux, the son of William Molyneux, the mathematician	1
(66.)	1711 to 1747 A.D. Register of parochial settlements.	1
(67.)	1721 A.D. Copy of the testament (with codicil) of Dorothy Lady Capell, Baroness-Dowager of Tewkesbury, proved in the Prerogative Court of Canterbury in London, on 21 June, 1721 A.D.	1
(68.)	1723–4 A.D. Cash-book of the Corporation of Southampton	1
(69.)	1725 A.D. County Stock and County Treasurer's accounts book	1
(70.)	1728 to 1755 A.D. Book of examinations and depositions	1
(71.)	1729 to 1748 A.D. Sessions of Peace (Orders) Book	1
(72.)	1734 A.D. Southampton Chartulary; Book of the charters of the town, copied and made into a book by order of Recorder	1
(73.)	1734 to 1766 A.D. Assembly Book; of orders and minutes of proceedings in municipal assemblies	1
(74.)	George III. Dr. Speed's "History and Antiquities of Southampton," used by the Reverend Silvester Davies in his recently published "History of Southampton," and described in the Preface to that comprehensive and carefully executed book	1
(75.)	1765 A.D. Book of common forms and precedents, for the convenience and use of legal draughtsmen	1
(76.)	1776 to 1782 A.D. Rental of the Corporation of the town of Southampton	1
(77.)	1779 to 1781 A.D. Rental of the Corporation of the town of Southampton	1
(78.)	1783 to 1796 A.D. Town of Southampton "Market Rental Book"	1
(79.)	1792 to 1803 A.D. Town of Southampton Quit-Rent book	1
(80.)	1808 to 1848 A.D. Town of Southampton "Market Rental Book"	1
	Total number of volumes	504

II.—*Notes respecting, and Extracts from, the most noteworthy books.*

(1.) Edward II. Book of Laws, Ordinances, and Customs of the Town of Southampton, known in the annals of the borough as "The Oak Book," containing at the present time sixty vellum leaves, clog-covered. Resembling in several particulars the far more perfect and exemplary "Little Domesday Books of the Borough of Ipswich, this

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volume (comprises with divers inconsiderable memoranda of comparatively recent penmanship) the following matters:—

(*a.*) List (imperfect) of the boroughs of England, with particulars touching the dates of their respective charters of incorporation.

(*b.*) The Oath (French) administered to and sworn by the "Meyre Baillif e bones gents" of the town.

(*c.*) The Laws and Usages (French) of the town, in seventy-seven chapters; each chapter being headed with red letters, setting forth concisely the subject of the chapter.

(*d.*) The List of Dues and Customs on merchandize coming into the town by sea or land.

(*e.*) Copy of the Deed of Concord, dated 3 Edward III., between the Mayor and Community of the city of New Sarum of the one part and the Mayor and Community of the town of Suthampton of the other part, for the determination of controversy respecting tolls and customs.

(*f.*) Table of Rates, for regulating the price of bread.

(*g.*) Copy of the Charter of Inspeximus (of the charter dated by King John in the 9th year of his reign and also of the charter dated by Henry the Third in the 16th year of his reign, "de libertatibus Wynton' ecclesie"), dated by Nicholas bishop of Winchester A.D. 1268.

(*h.*) Copy of record of the proceedings, with verdict for the plaintiff, in the cause (6 Edward II.) of John le Cowper of Farnham, a tenant of the Bishop of Winchester, v. John Shirlee, William Foghel and William Basyngrom the younger, of the town of Southampton, for unlawful seizing for payment of toll unlawfully demanded as due to the said town "unum "coreum bouum precii vnius denarii ipsius Johannis le Couper."

(*i.*) Collection of Maritime cases and legal decisions touching ships and seamen, headed "Ceo est la Chartre Doylyroun de Jugements du Meer."

(*j.*) Copy of the Charter, dated by Edward the Third in the 2nd year of his reign, of Inspeximus and Confirmation of Edward the Second's Charter of Inspeximus and Confirmation, of Edward the First's Charter of Inspeximus and Confirmation, of the Charter of concessions dated by Henry the Third at Winchester on the 20th of June in the 37th year of his reign "Deo et beate Marie et Sancto Johanni Baptiste "et Fratribus Hospitalis Jerusalem."

(*k.*) Copy of the Letters Patent, dated 28 June 29 Edward III., of the Burgesses of the town of Southampton, of power for ten years to levy one penny from every pound, one half-penny from every ten shillings, and one farthing from every five shillings, of goods imported into or exported from the said town, the revenue from the said grant to be applied to the works for completing the enclosure of the town, for its greater security.

(*l.*) Copy of a Concord and Agreement, made 24 Henry III., between the Burgesses of Suthampton and the Burgesses of Portesmothe.

(*m.*) Copy of the Inquisition taken and made, 38 Henry III., by twenty-four lawful men, before Sir Ernaldus de Bosco, the said King's Justice "de Foresta,"—"qui dicunt super sacramentum suum quod hec est meta et divisa inter forestam de la Beri et villam domini Regis Suthampton, scilicet, de Ponte de Acardy sicut via extendit se per cruces versus Aquilonem usque Cuthorn et de Cuttethorn usque ad Burleston, Et de Burleston usque ad Fursewelle, et de Furswelle sicut descendit in Ychene infra quas metas et divisas libertatis Ville domini Regis Suthampton canonici Sancti [Juliani?] . . . et tenent quemdam boscum qui vocatur Porteswode ex concessione Ricardi

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quondam Regis Anglie i liberam et puram et perpetuam elimosinam, Et est . . . . . et bosco pro quo bosco et terra que vocatur Kyngeslond dominus Rex predictus remisit de firma sua Ville Suthampton imperpetuum centum solidos."

A notion of the literary style of "The Laws and Usages," by far the most important and interesting of the several matters of the volume, may be gained from the following transcript of the first four of the seventy-seven chapters.

"1. Coment le Alderman Seneschal Chapellayn Eskevyns Usser seront esluys en Gilde. En primes chief que de la Gilde Marchaundz soient eslus e etablis, un Alderman, un Seneschal, un Chapelayn e iii. eskevyns e un Usser, Et est assavoyr que celuy que serra Alderman deit avoyr de chescun entraunt en la Gilde iiiid., le Seneschal iid., le Chapeleyn iid., e le Usser id. Et doit la Gilde feer deuz foyz en le an, Cest asavoir le Dymaynge prochain apres la Seintz Johan le Baptistez e le Dymaynge proschayn apres la Seintz Hyllery.

(2.) Quant la Gilde serra nul entre eux ne vendra si ne seit par le Alderman. Quant la Gilde serra nul de la Gilde ne doit mener nul estraunge, si il ne soit requis par le Alderman ou le Seneschal, Et le Alderman doitz avoir un Sergaunt aler nyer devaunt ly, le Seneschal un autre Sergauntz e les deuz eskevyns un Sergauntz, Et les autr' deus eskevyns un sergaunt e le Chapeleyn auera seon Clerk.

(3.) De ceo que le Alderman auera mizt tauntoi la Gilde y serra. Et quaunt la Gilde serra le Alderman doit avoyr chescun muytz tauntz come la Gilde sietz ii. galouns de vin Et deus chaundeles e le Seneschal autresy e les iiii. eskevyns e le Chapelayn chescun de eus un galoundd e vyn de une chaundele e le Usser un galoun de vyn.

(4.) Que les Meseaus auerount de la Gilde tantu' y serra. Et quaunt la Gilde serra les Meseaus de la Maudelyne auerount del Aumune de Gildeyns ii cestres de la ceruoyse. Et les Malades de la Maysun Deu e de Seintz Julian auerount deus cestyers de cervose. Et les Freires menors auerount ii cestres de cervoyse e un cestr' de vyn. Et iiii. cestres de cervoyse serrount donetz a poveres la ou la Gilde sera.

The entries of this volume, which the Hampshire archæologists would do well to edit, are by various hands, and were made at different times; the earliest of the entries, the Copy of "The Laws and Usages," being of a penmanship that justifies the reporter in assigning it to some clerk of the earlier time of the 14th century.

(2.) 16 Richard II. to 12 Elizabeth. The Black Book, otherwise styled the "Liber Niger nigro carbone notatus," otherwise styled the "Niger Papyrus," otherwise styled "The Blak Papyr" of the town of Suthampton; a large folio register containing 144 leaves of unusually thick paper, the last thirty-two of which are blank. Used from the 16th year of Richard II. to the 12th year of Elizabeth as a Book of Record for the enrolment of acknowledgments of deeds, this well preserved volume (covered with black flexible leather), together with writings of conveyance and quitclaim, and other legal instruments and writings of record, comprises the following matters:—

(*a*.) 16 Richard II. Ordinances by the Mayor and Community, "quod quilibet burgensis ac alius commorans infra libertatem ville Suthampton seu commoraturus respondebit versus alienigenas ac extraneos in placitis pedis pulverosati non obstante aliqua libertate prius habita seu possessa in placitis debiti pro aliquibus rebus vel merci-

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moniis venditis seu emptis infra libertatem predictam. Et quod inter indigenos seu infra libertatem ville commorantes ac burgenses placita terminentur in Curia Regia ville secundum consuetudinem ante hac usitatam."

(*b.*) 1 Henry V. Ordinance by the Maior, Bailiffs, and Community, "quod omnes meretrices commune Hospicium in Estrete tenentes a dicto Vico omnino ammoverentur; Et quod nec ipse nec alique alie huiusmodi vite mulieres ad aliquod tenementum sive cotagium in eodem vico inhabitandum aut tenendum aliqualiter de cetero admitterentur et precipue propter continenciam dictum vicum pertranseuncium sive ad ecclesias beate Marie Sancte Trinitatis ac Sancti Andree peregre proficiscencium conservandam quam quidem ordinacionem supradictam imperpetuum tenendam ac observandam in nigro papiro eiusdem ville fecerunt irrotulari ut de recordo hic in futuro videatur esse permanend."

(*c.*) 17 October 22 Edward III. Ordinances by the Mayor, Aldermen, and Community of the town of Suthampton, for the amendment of proceedings in the Town Court—Cestassavere.

Que apres ascun accion de dette affirme en le comyn courte de mesme le vile envers ascun home demeurant deinz mesme le vile que le processe sera tielle,—Em primes le defendant serra somone et apres en le procheyne court il auera un essoyne sil voet et apres en le procheyn courte il auera un defaute saunz rien perder, Et apres sil ne vient un Attachment. Et sil trove un home destre son plegge sur mesme latachment sil face defaute le proime jour il serra amercie ii. *d.* le seconde jour iiii. *d.* le tierce jour vi. *d.* le quarte jour viii. le quinte jour x. *d.* le vi jour xii. *d.* et issint apres achescun courte sil fait defaute il serra amercye a xii. *d.* jesqz il veigne et respoyne al pleyntif et auxi en mesme le manere lissues serront retournes apres vn distresse agarde envers le defendant sicome est dit dez amercimentes avauntditz si le sargent retorne le defendant sufficient.

Item est assentu et accorde mesme le jour que apres ceo que ascun issue est ioine entre lez pleyntiffs et defendantes en mesme le courte que si le pleyntif ne voile suer . . . effects pur auer son jurre deinz trois moys proscheyn apres lissue ioine que le pleintif perdera son accion pur mesme le temps.

Item est assentu et accorde mesme le jour que apres ceo que ascun issue est ioine come est avauntdit auxibien en le comyn court come en le courte de pee poudres si le summe en demande soit declare a x. marces ou deinz que le Sargent auera pur faire son retourne del panelle forsq xii. *d.*

Et si le summe en demande soit declare ouster x. marcs come a x. li. xx. marcs xx. li ou ouster, Donqz le Sargent auera pur faire son retorne del panelle forsqz ii. *s.*

Item est assentu et acorde que en un plee de trespas le defendant pledera al Issue et tiendra son ley si les damages soient declares a xl. *s.* ou ouster et priera que le pleyntif soiet examyne si ces damages atteygnent a xl. *s.* ou ouster par reson de mesme trespas, Et si le pleyntif refuse le examynacion donqz le defendant ferra son ley, Et si le pleyntif sur son serement sur un liver dit qil est en damage a xl. *s.* ou ouster donqz lissue serra trie par pais.

Item est assentu et acorde mesme le jour que le Clerk del ville prendera de chescun Burgeys pur faire ou pur entrer son declaracion si le summe en demaunde soit declare a x. marcs ou deinz forsqz xii. *d.* Et si le summe en demaunde soit declare a x. *li.* xx. marcs xx. *li.* ou ouster il prendera pur faire ou pur son entre del declaracion de mesme le plee forsqz ii. *s.* Et des estraungers ou Foreyns il prendera sicome ils poient agrees.

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Item est acorde et assentu mesme le jour que quaunt un estraunger ou Foreyn afferme ascun accion en le comen courte ou en le courte de pee poudres il gagera al Sargent que doit son affire de mesme le pleynt en nawn' de plegge iii. *d.*

(*d.*) 9 December 22 Edward IV. "Hit is agreid assentid and by a comen accorde concludid in fourme folowyng that is to say emonge other, A Pavyour to be ordeyned to dwell in a house of the Towne price of xiii. *s.* iiii. *d.* rent free, and to have yerely a gowne to this entent, that he shalle with a Sargent of the same towne doo serche the pavement of the seid towne and also to pave in alle places nedefulle withyn the seid towne and doo all thyng that longeth to that office withyn the seid towne takyng for his wages for his labour as it is used . . . . , Provided alwey that the Stone and alle maner thyng to the seid pavement belongyng be ordeyned by hym or theym afore woes house the pavement shalle be noyouse or nedefulle of reparacion."

(*e.*) 16 Richard II. Enrolment of Probate of the will (testamentum) of Richard Mey the elder of the town of Suthampton burgess, dated 8 July 1392 A.D., running in these words,—"In dei nomine amen . . . . . Ego "Ricardus Mey senior burgensis ville Suthampton condo testamentum "meum in hunc modum, In primis lego animam meam deo ac corpus "meum ad sepeliendum in Cimeterio Sancte Marie Suthampton "predicte ville per disposicionem executorum meorum, Item lego "Agnete uxori mee omnia terras ac tenementa mea que vel quas habeo "infra libertatem ville Suthampton supradicte habendum ac tenendum "omnia predicta terras ac tenementa prefate Agneti uxori mee usque "ad terminum vite sue, Et post decessum vero ejusdem Agnetis volo "ac concedo quod omnia terre ac tenementa predicta cum suis perti-"nenciis integre remaneant ac revertantur Ricardo Mey juniori ac Ra-"nulpho Mey capellano filiis meis habendum ac tenendum omnia pre-"dicta terras ac tenementa prefato Ricardo Mey juniori ac Radulpho "usque ad terminum vite eorum seu uni eorum diucius viventi tantum, "Et post vero decessum eorum volo quod omnia predicta terre ac "tenementa cum suis pertinenciis integre vendantur per executores "meos vel per executores executorum meorum, ac pecunia inde reddita "distribuatur pro anima mea ac animabus omnium fidelium defuncto-"rum secundum disposicionem executorum predictorum, Item lego "Ranulpho Mey filio meo predicto unum Basnet unam loricam unum "par cirotecarum de plate ac unum aphorum argenteum secundum "meliorem,—Item lego Ricardo Mey juniori filio meo sexaginta soli-"dos sterlingorum quos michi debet Johannes Patrik de Wynton. "Residuum vero bonorum meorum superius non legatorum lego Agneti "uxori mee debitis meis primo persolutis, Ita quod idem Agnes ordi-"net ac disponat pro anima mea tam in exequiis meis quam in die sepul-"ture mee pro cera ac distribucione pauperum ac in aliis necessariis "faciendis sicut ipsa melius viderit expedire &c."

(*f.*) Henry II. Charter of Licence to have a Gild Merchant, with grant of freedom of toll throughout the realm to the men of Andover.—Henricus dei gratia &c. &c. salutem. Sciatis me concessisse hominibus de Andewra vt habeant gildam mercatorum in Andewra quod sint quieti de Theolonio Passagio consuetudine per totam terram meam sicut Burgenses Wintonie qui sunt de Gilda mercatorum sunt quieti. Et super hoc nullus eos disturbet iniuste pro consuetudine super x. libras forisfacture. Testibus &c. Apud Wyntoniam.

(*g.*) 29 April, 5 Ricardus I. Charter of Licence to have a Gild Merchant, together with freedom from toll throughout the realm, to the men of Andover, "sicut dominus Henricus Rex pater noster eis concessit "ac carta sua confirmavit." Testibus &c. apud Portesm'.

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(*h.*) 8 Henry IV. Petition (French) of the Taylors of Suthampton to the Mayor Aldermen and Burgesses of the said town, together with record of consent of the same Mayor Aldermen and burgesses to the same petition, which in the clauses following the preamble runs in the following words,—"Please a votre tressage discrecion par "advys de voz Aldermans prudeshommes et autres voz avaunditz "bones burgeis ordeigner et estabiler en icest present assemblee que "nulle aliene Tailloure ne soudier Taillour Engleis ne autre veignant "en Carrike Galeye ou nief des aliens priegne ne tiegne shope meson "ne chambre deinz mesme la ville pour tailler ne deinz la Fraunchise "dicelle taille robes jepone ne autres garnementz a qi que soient de-"vaunt que tielle Taillour aliene ou soudier Taillour ad fait fyu et gree "ove les mestres de mesme de mestier pour le temps esteauntz sur "peyne denprisonement et ceo le primer foitz que soit trove trespas-"saunt encountre ceste ordynaunce et le secunde foitz dencorger la "peyne de c.*s.* a leuer par le commaundement de vous ou del mair pour "le temps esteauntz par les ministres de dite ville . . . . . Et "auxi que nulle Taillour estraunge veignant sodeynement de tailler en "mesme la ville ne tiegne shope ne chambre de tailler drape saunz "conge del Maire et des mestres del dit mestier et tanque il ad feat fyn "solons lour discrecioun en manere suis dit. Et &c. &c."

(*i.*) 21 Henry VII. Ordinance made in Common Assembly "that "fromhensfurth the Mayr of this Towne for the tyme beyng have and "resceyve of the Stuard of the Towne or of his depute toward his "charges so occupying oon hole yere x. *li.* to be allowid to the sayd "Stuard by the Auditours vppon his accompt, To thintent folowing "that is to say that no Mayre for this day forward take uppon hym to "resceyve or handill any of the Townys money that is to wete he shalle "make no fyne except it be at the Audit-hous callyng to hym ij. or iij. "of thaldermen or of the discretes at the lest, and the money therof "comyng to be put in to the Comen Boxe in the seyd Audithous, Of the "which box the seyd Mayre to have oon key and oon of the Aldermen "the toder &c. &c." With further order "that the Blacke Boke be alle "weyes kept vnder ii. lokys"; and other regulations touching the revenues of the town.

(*j.*) 8 November 1458 A.D. The will (testamentum) of William Soper, esquire and burgess of the town of Suthampton; by which, after directing that his body shall be buried beneath a certain marble tomb which he has caused to be made "in australi parte corporis ecclesie Fratrum Minorum in villa predicta," the testator makes divers bequests to pious and charitable uses in which the community of the same town is interested.

(*k.*) 3 February 1457 A.D. The will (testamentum) of John Estwelle, burgess of the town of Suthampton, whereby, after directing that his body shall be buried in the church of the blessed Mary Virgin near Suthampton ("videlicet in corpore ejusdem ecclesie juxta pulpitum "coram Imagine Sancte Crucis"), the testator makes divers bequests to pious and charitable uses.

(*l.*) 30 October 1462 A.D. The will (testamentum) of John Bedil *alias* Bidell burgess of the town of Suthampton, containing bequests to pious and charitable uses.

(*m.*) 14 December 1443 A.D. The will (testamentum) of Robert Florice of the town of Suthampton; containing bequests to pious uses.

(*n.*) 6 December 1486 A.D. Enrolment of the petition made by the Cowpers of the town of Suthampton to the Mayor Aldermen and burgesses of the said town in Common Assembly, and of the consent of the same Mayor Aldermen and burgesses to the prayer of the said petitioners.

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"That no cowper alien sowdiour comying in Carrake Galey or in any "othr' ship ne non other aswell englisshe as any other estraungier "resortyng unto the said town from this day forward take nor holde "howse shop nor chambre within the saide towne, nor within the "Fraunchies of the same Toune for to make or to use the seid occu- "pacion and crafte of Coupers Crafte unto the tyme that the same cowper "be he alien sowdier straungier englysshe or any other what soever "he be have made fyne and gree with the Mayre for the tyme beyng "and with the Maisters of the said occupacioun and crafte of Cowpers "that for the tyme shalbe vpon payn, &c. &c."

(*o.*) 1 August 1492 A.D. The will (testamentum—Latin in the earlier part, with a lengthy statement in English setting forth minutely the intent and purposes of a principal bequest) of William Gunter of the town of Suthampton, the enrolment of the said will being made during the testator's life and whilst he was Mayor the said town; under this heading "Testamentum Willelmi Gunter irrotulatum tempore ejusdem Willelmi Gunter maioris." Bequeathing "Willelmo Justice unam togam meam penulatam vocatam Crymsyn coloris vocatam Wedding-gowne," the testator bequeaths three tenements in the town of Southampton to his wife Alice for life, with remainder to certain persons in trust, "to thentent that the said Alice my wif shalle finde during her lif in Holy Rode Church in Suthampton aforesaid at the Holy Rode Awter in the same Churche a discrete prest dayly with gode disposicion masse syngyng and other divine service seying and the quere in holy dayes there contynually kepying in tyme of goddys service doing for the sowlys of me the seid William Gunter my father Moder John Jamys all my frendys sowlys and all cristen sowlys taking for his wagis yerely ix markes laufull money &c. &c." The remainder (a full half) of the will is an elaborate statement of the testator's disposition of the surplus of the issues of the said tenements, for pious and charitable uses.

(*p.*) 23 March, 11 Henry VII. Tempore Johannis Walssh maioris. "Hereafter followeth a copy of a bonde that the Mayre of Suthampton ballieffes and burgeys and comminaltie be bounden [in] to Philip Archeduke of Austria and Duk of Burgone.—Omnibus Christi, &c. &c. Johannes Walsshe maior ville Suthampton, Johannes Bavdewyn ac Johannes Warde ejusdem ville ballivi necnon burgenses ac communitas ville predicte Salutem in domino sempiternam: Cum inter illustrissimum principem supremum dominum nostrum Henricum dei gracia Anglie &c. ex una et serenissimum principem Philippum eadem gracia Austrie &c. ex altera partibus quedam amiciciarum intelligenciarum ac mercimonii intercursus mercatorumque communicacionis ac alia eciam eosdem principes ac subditorum suorum regnorum patriarumque utilitatem concernencia tractatus ac federa de dat' xxiiij die mensis Februarii anno domini millesimo quadringentesimo nonagesimo quinto London' inita conventa conclusa ac finaliter determinata fuere, que quidem tractatus amiciciarum et mercimonii intercursus, &c. vidimus ac intelleximus, Ac pro hic insertis haberi voluimus, Noveritis nos prefatos Maiorem ballivos burgenses ac communitatem ville supradicte necnon successores nostros maiores ballivos burgenses ac communitatem ville predicte qui pro tempore fuerint, ad requestum ac mandatum prefati domini nostri Regis ac ad suarum literarum nobis in hac parte directarum ac deliberatarum quas pro hic insertis haberi volumus contemplacionem bona fide promisisse ac nos ac successores nostros prefato illustrissimo principi Philippo Archeduci Austrie duci Burgundie &c. ejusque heredibus ac successoribus sub ipotheca ac obligacione omnium bonorum nostrorum presencium ac futurorum obligasse sicque per presentes promittimus ac obligamus quod effectualiter procurabimus instabimus ac quantum in nobis erit

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efficiemus, quod idem dominus noster Rex ejusque heredes ac successores omnia ac singula predicta tam amiciciarum quam mercimonii intercursus omniaque singula in eisdem contenta et specificata bene plene et fideliter tenebunt ac perimplebunt, Ac per suos subditos et vassallos quatenus eos concernunt aut imposterum concernent bene ac fideliter facient teneri observari ac perimpleri, Incontinentes que iusticiam ministrabunt seu ministrari facient. In cujus rei testimonium presentibus sigillum communitatis ville Suthampton predicte apponi fecimus. Dat' vicesimo tercio die mensis Marcii anno domini supradicto, Et anno regni dicti domini nostri Regis Anglie undecimo.

(*q.*) 18 March, 11 Henry VII. Tacked, together with the two following matters, to the leaf of the Black Book, setting forth the enrolment of the afore-copied bond, are these Letters under the King's sign-manual and signet :—Trusty and Welbiloved We grete you well, And where as our Cousin Tharcheduc of Austriche and Duc of Burgoyne hath sent unto us of late the Lord Bever and other grete personages on his solempne ambassade, With his requeste for to have with us our Royaume and subgiettes both amitie intelligence and entrecours of merchandise, Whiche is gretly to our honour seing that the ruptur and discontinuaunce therof hathe not stand by us, and redoundeth also to the Wele and prouffite of the lieges on either side, We havyng tendre consideracioun to the good and libertie of our subgiettes have bettered and made more vaillable to them the said entrecours and passed also those ambassadours booth the amitie intelligence and entrecourse forsaid, And where over this the said Ambassadours have offered instanced and promised to bynde diverse estates and diverse grete townes of thobeissaunce of our said Cousin under the seales and signmanuelles for the inviolable and ferme observyng of that is concluded betweene us and theim As by a byll herin closed of the names of the said estates and Townes it appereth more at large, The said Ambassadours for equalitie and stablenesse of the matier that We shold doo in like wise oblige certain estates and Townes of this our Royaume, We therfor remembring wele their reasonable demaunde in that behalve and that ye also be oon of the Townes they mynde to have bounde in this caas, Wol and desire you that under your commune seale annexed by a labelle to such writing in perchemyn as this berer shal deliver unto you the copie, ye sende the same soo sealed unto us by the same berer. Geven under our Signet at our Manoir of Shene the xviij day of Marche."

(*r.*) The form of the bond to be executed by the Mayor and community of Suthampton.

(*s.*) This schedule of the ambassadors referred to in the King's signmanual :—The Bisshop of Cambray, the Prince of Symay, Therl Nassou, the lord Ravesteen, the Lord Berres, the lord Berghes, the lord Egmond, the lord Tlybre, the lord Aymery, the lord Molenbais, the Provost of Liege and St. Donas, With the Capitaigne of Bruges, and the Burghmaistres of Gaunt, Ipres, Bruges, Dunkerk, Newport, Anvers, Berghes, Dordraight, Delve, Leyd, Hamsterdam, Middelburgh, Zyversee, Vere, Molynes and Bryele.

(*t.*) 4 May 1487. The Will (testamentum) of Richard Gryme of the town of Suthampton burgess, containing bequests to pious uses.

(*u.*) 3 May 1495: The Will (testamentum) of John Shropshire, containing bequests to pious and charitable uses.

(*v.*) 2 September 1471. The Will (testamentum) of John Jamys burgess of the town of Suthampton, containing bequests to pious uses.

(*w.*) 6 October 1503. The Will (testamentum) of John Browne citizen of New Sarum, containing bequests to pious uses.

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(*x.*) 18 June 1513. The Will (testamentum) of Robert Bysshchoppe of the town of Suthampton burgess and alderman, containing bequests to pious uses.

(*y.*) —— 1549. Depositions by seven several aged men touching the common lands of the town of Suthampton, headed "the Sainges of the Ayntchiant olde men whiche hath byne of the towne of Suthampton conserning the Comens of the same town."

(*z.*) —— 1570. A Notte of all such Charters and other Writtinges with suche bookes of Statutes and other bookes as Richard Godderd latte maior of the towne of Suthampton lefte in the Auditt House at the tyme of his going out of his Maioraltie.

(*aa.*) 26 September, 1 and 2 Philip and Mary. Deed (under this heading "Copia vera feodi libere schole Grammaticalis in villa Suthampton") of grant, release and confirmation of the West Hall in English Street and three tenements in French Street in the town of Suthampton, by Thomas Pace of the said town esquire, Thomas Mille of the same town gentleman, and William Britton gentleman (one of the executors of the testament and last will of *John* Capon D.D. deceased), to John Capelin mayor, Richard Hawkins and Nicholas Capelin bailiffs, and to the burgesses of the said town, "pro manutenencia et continuacione schole predicte ac in performacionem et complementum testamenti et ultime voluntatis predicti *Willelmi* Capon defuncti, et ad intencionem quod pueri in eadem schola educandi et erudiendi quotidie imperpetuum orent pro anima ejusdem Willelmi Capon." Reciting the substance of a certain deed of bargain and sale dated 20 January, 1 Mary, at the Guildhall of the said town, whereby in consideration of a payment of 100*l.* the aforementioned Mayor (John Capelyn) the bailiffs (Richard Hawkins and Nicholas Capelin) and the burgesses conveyed Westhall and the three other tenements to the aforementioned Thomas Pace, Thomas Mille, and William Britten, the present deed also sets forth the substance of the Letters Patent, dated at Westminster by Edward the Sixth on the 4th of June in the 7th year of his reign, for the foundation and institution of a Free Grammar School in the said town under the style and title of the "Libera schola grammaticalis Maioris ballivorum et Burgensium dicte ville et comitatus Southampton." In his remarks upon this instrument in his excellent "History of Southampton" (1883) the Reverend John Silvester Davies, M.A., calls attention to the misdescription at the opening of the deed of Dr. Capon, who is there styled John Capon, whereas his Christian name was William, the name rightly assigned to him in subsequent clauses of the writing.

The absence of chronological order of the foregoing notes points to a similar absence of order in the register, matters having been put on vacant places of leaves chiefly occupied with writings of an earlier date. Perusers of this report will however exaggerate the disorder of the the book, unless they bear in mind that the notes touching testaments in the foregoing list exhibit the dates of execution and not those of probate.

(3.) 15th Century. Treatise in English verse on the Philosopher's Stone and Aurum Potabile, in twelve chapters, with a Preface and concluding "Recapitulacio totius Operis," eleven of the chapters being entitled respectively "Of noble Calsynacioun," "Of Solucioun," "De Separacione," "De Conjunctione," "De Putryfactione," "De Congelacione," "De Cibacione," "De Sublimacione," "De Exaltacione," "De Multiplicacione," "De Projectione." Much defaced and torn, and bearing on the vellum-cover this note by a modern hand, "This a

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Treatise upon the Philosopher's Stone in English Verse. I suppose that this book was found in the Friary. It seems to me to be a Translation from Roger Bacon, who was of the Order of Friars Minors, of which order were the Friars in this Town, and it is probable that his great reputation would induce those of his own order particularly to study his writings. In the Preface there is mention of Raymond. When Roger Bacon was imprisoned on suspicion of Witchecrafte, one Raymond, a Brother of his order, procured his Release upon his discovering to him the secrets of his occult Philosophy. Perhaps the Raymund here mentioned may be Raymund Lully," referred to by name in the 30th page of the tract. An opinion of the literary style of the treatise may be formed from these opening lines of the Preface,

" In the begynnynge when thow made all of nowght,
A globose mater and derke undur confusion,
By the begynner marvelously was wrought
Conteynyng all thinges withowte division,
Of whiche thow made in vi daise clere distinction
As Genesis appertly doth record
Then hevyn and erthe perfyteyd wer with thy word,
So throw thy will and power oute of oon mase
Confusid was made all thyng that beyng ys,
But in thy glorye afore as Maker thow was,
Nowys shaull withoute yend be I wys
And puryfyde souleys up to thy blyse
Schall come, A principal thys may be oon
For the declareyng of oure stone
For of oon mas was made all thynge
And Ryght so moste hit in oure practike be,
All our secretes of oon Image most spryng
In p[hilosop]hers bookes that for who lyste to see
Oure stone ys called the lesse world oon and thre
Magnesia alsoe of Sulphur and Mercurie
Proporcynate by nateure most profitable
But may oon mervelyth and mervelich may
And muse on suche a mervelos thyng."

The reference in the Preface to Raymond is made in the following lines—

" And when thow has made calsinacioun
Encresyng not wastyng moisture radicall
To thy base by ofte subtilacioun
Woll lyghtly flowe as wax appon metall
Then lowse it with thy vegeterboll mesticall
Tyll thow have oyle ther of in colour bryght
Then ys that mesture vysyble unto syght
And oyle hyt ys drawen owte in colour of golde
Or lyke ther to oute of oure fyne rede led
Whych Raymonde seid when he was old
Moch moré then gold wolde stonden styde
For when he was for age nye dede
He made ther of Aurum Potabile
Whych hym revyvyd as menne myght see."

(4.) 1445 A.D. to James I. The Book of Remembrances of the town of Suthampton. A medley of writs, warrants, mayoral accounts, indentures, and lists of municipal officers, with other matters touching the affairs of the corporation and inhabitants of the town, this book

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MSS. OF THE TOWN OF SOUTHAMPTON.

contains, together with other multifarious memoranda that should be carefully examined by future historians of the community,

(*a.*) 17 Henry VII. Letter from the Mayor bailiffs and burgesses of the town of Suthampton "to the v. portes for certeyne variaunces betwene this Towne of Suthampton and the same v. poortes"; with answer to the same letter, addressed to the same Mayor bailiffs and burgesses by "youre Lovers the bailif and Jurates of Hastynges."

(*b.*) Henry VII. Memoranda of arrangements for receiving His Majesty on the occasion of his visit to the town; under the heading "Provision for to resceyve the Kynges Grace."

(*c.*) 10 December, 1 Edward IV. Precept directed to the Sheriff of the town of Suthampton for payment of cxxxiij*li.* vi*s.* viii*d.* "Johanni Fogge militi thesaurario hospicii nostri vel ejus in hac parte deputato . . . pro expensis hospicii nostri predicti."

(*d.*) 3 December 1 Edward IV. Precept, dated under the Privy Seal at Westminster, and directed to the Mayor bailiffs sheriff and burgesses of the town of Suthampton, for the payment, out of the fee-farm of the said town, of cxxvii*li.* vi*s.* iiii*d.* to Richard Earl of Warrewyk, for considerations set forth in these words, "Wher' Humfrey late Duke of Buk and late Constable of oure Castell of Dovowr dud (*sic.*) the x daye of Jule in the yere of the Reigne of Henry the Sext late in dede and not in righte King of England xxxviii^{ti} the same late kyng gave in commaundement to oure right trusty and welbeloved cousin Richard Erle of Warrewyk to occupie and exercise that office and to attende and provide for the sustentacion of the prestes servauntes watchemen officers and artificers ther for the saufgard of the same, by force of which commaundement the same Erle occupied that office having the charge of the other officers servauntes and other aforeseide contynuelly from the saide x daye of Juylle unto the fourthe daye of Marche in the fyrst yere of oure Reigne, and by oure commaundement occupied and exercised the saide office of Constable of the seide Castelle of Dovorre from the same daye of Marche vnto the vii daye of May the seide first yer of oure Reigne and contynually by alle the tymes founde and had within the same Castelle prestes and servauntes wacchemen officers and artificers according to the nombre of them aforetyme had, and for that the seide Erle hath no paiment nor contentacion of or for eny wages for him self in this behalve or for the fyndyng of the saide prestes wacchemen officers and artificers for the seide tymes, We understond that the seide late Duke had for his sustentacion and for the sustentacion of the seid prestes servauntes wacchemen officers and artificers amonges other cliiij*li.* by yere of the fe-ferme of the towne of Southampton, &c."

(*e.*) 7 May, 1 Edward IV. Letters Patent of the grant of the office of Constable of the Castle of Dovor, together with office of Warden of the Cinque Ports, and all powers and privileges pertaining to the same offices, to Richard, Earl of Warwiek. Dated at Middelham.

(*f.*) 20 Richard II. Concordia inter Priorem Sancti Dionisii et Maiorem ac Communitatem ville Suthampton.

(*g.*) 5 July, 2 Richard III. Writ of Precept and Mandate directed by the King to the Mayor sheriff and bailiffs of the town of Suthampton, for the prohibition of the wearing and bearing of "livereis clothinges conusaunces or bagieus" in the said town. Dated under the Signet at the Castle of Scarburgh.

(*h.*) 2 Richard III. "Fines facte ad opus ville Suthampton tempore Vincencii Tehy maioris ibidem anno regni regis Ricardi III. secundo." Containing a recipe for curing the cancer, inserted in the midst of particulars congruent with the heading of the record, this curious account exhibits the following items "per finem iiii*d.* Item for a swerde

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left in the courte and brought over to the Audite Hous and afterward sold to Robert Tregolle, and in so moche the lasse for be cause it was of litulle valur.

"A medicyne for a canker. Take the juce of the rote of a bethewynde other wise callid Wethewynde and a noynte the cankyr therwith ix or x days till he be hole.

"Item receved the xvith day of Janyvere of on' John Galyman taken with a woman in Sent John's parishe—xii*d.*"

(*i.*) On a later page of the book appear, without a date, the following items of another account of the same reign :—

"Item for a fyne made by Laurens Baker for his wyf because she is endyted at Sessions for a mysgyded woman and she hath fyned here be fore. And nowe in lyke wise vpon this condicion that if she may be founde gilte herafter she shalbe banished owte of Towne with grete shame—xii*d.*

"Item for a fyne of Agnes Couper in Seint John' parisshe in lyke wyse—xii*d.*

"Item that Market and his wyf be warned agenst Michaelmasse next cummyng to voyde the towne if they may be founde in any fawlte herafter.

"Item that Agnes the wyf of Thomas Staunton is warned in like wise to voyde if she maye be founde any more fawte.

"Item that John Walys [? and his] wyf voyde in lyke wyse if they be founde any more fawte at the saide fest of Mychelmasse.

"Item that Nicholas de Prese and his wyf voyde in lyke wyse if they may be founde any more fawte."

(*j.*) 1 Henry VII. The account of the receipts and disbursements of the town during the year of William Gunter's mayoralty. Containing the following entry :—"Per Johannem Godfray senescallum. Also paied unto Thomas Reynold one of the burgeses of parlament the fryday next afore Seint Leonardes day anno primo Regis Henrici VII. by the handes of John Godfray then Steward of Suthampton lxvi*s.* viii*d.* of the whiche he shuld have fer hymmeselfe and Thomas Overey, burgese of the parlement for theyr wages in parte xl*s.*, and xiij*s.* iiij*d.* to delyver to Edmund Denny our attorney in the Estcheker for the Shiriff Mighelmas pro...., and xiij*s.* iiij*d.* to delyver unto the same Edmunde for his fee due att Mighelmash last past."

(*k.*) 2 Henry VII. A similar account for the next mayoral year, containing these entries having reference to Prince Arthur's birth.

"A Prynce is borne at Wynchestere. Memorandum, that in Vigilia Sancti Mathei Apostoli videlicet the xx^{the} day of Septembre the ii^{de} yere of the reigne of our sovereigne Lorde Kyng Henry the VIIth, One John Burnard yoman of the menys chambre comme unto Suthampton unto the Maire and to his brethern and tolde the tythynges and seid ther is a Prynce borne that nyght next affor at Wynchestre, And that the Kyng commaunded that alle the Curetes prestes and clerkes of the seide town shold goe in prossesssion and aftre synge Te Deum laudamus yn wurshipyng God therfor.

"And for the gode tydynges the said John Burnard had yn reward of the Maire and his bretherne paid by the handes of John Godfray steward of the same day vi*s.* viii*d.*"—Followed in the same account by this entry. "Also the steward John Godfray hath rescevid the xxiii^{the} day of September anno secundo Regis Henrici vii^{i}. for a fyne made with John Pyper in estrete for kepyng a Sklosshe pley contrary to the Mairis commaundement and other defautes &c.—iij*s.* iiij*d.*"

Affording divers matters of some value to general historians, and of especial interest to illustrators of Southampton in olden times, these

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Remembrances comprise numerous entries, having reference to the yearly pension of 154*l.* accruing from the fee-farm of the town to William, Earl of Arundell, as Constable of Dover Castle and Warden of the Cinque Ports in the times of Edward the Fourth and Henry the Seventh, which annuity the earl was wont to receive altogether or in part from the town "in kind," *i.e.*, in wine, forreign fruits, spices, and other articles of necessity or luxury for the provision of his household; a form of payment that of course lightened considerably the burden of the fee-farm to the burgesses.

(5.) 1489 to 1593 A.D. The "Liber De Finibus ville Suthampton." Consisting of yearly accounts of the moneys coming to the municipal exchequer by way of fines and forfeitures for offences and petty perquisites, this ledger affords a general view of the orderliness and disorderliness of the town throughout successive generations, and also exhibits for a shorter period the yearly disbursements of the corporation on such petty affairs and exceptional incidents or 'Mayoral Casualties,' as in the case of boroughs with chamberlains usually pertained to the financial duties of those officers. Amongst the Elizabethan accounts of expenditure appear the following particulars of the costs and charges incurred by the town for the Queen's entertainment in 1569 A.D.:—

"Imprimis, presented to the Quene's Majesty in the forsaide purse the ixth of September - - - - xl *li.*
Item, geven to the clarke of the markette for rewarde - xx *s.*
Item, to the Quen s harwarde - - - - xx *s.*
Item, to the Sergeantes of the Arms - - - xx *s.*
Item, payed her fotemen - - - - - xx *s.*
" " her trumpeters - - - - xx *s.*
" " the musicions - - - - - xx *s.*
" " the Marshall for a proclamacion - - v *s.*
" " the Marshall for his fees - - - v *s.*
" " to the clarke of the marketes cryer - - ii *s.*
" " to the skylers - - - - - v *s.*
" " to the drome and flute of Portismothe - - v *s.*
" " certaine Lordes minstrelles - - - v *s.*
" " to the yemen of mayell - - - v *s.*
" " to the yemen of the bottells - - - v *s.*
" " Peter Glasier for his drome and flutes - - v *s.*
" " the Quene's Majestis porters - - - v *s.*
" " William M^{r} whiche he must give accompts of - x *li.*
" " for iii lode of bowes sett by the commaundement of Sir Francis Knowells - - v *s.*
" " for the helping of the gonners - - - ii *s.* vi *d.*
" " M^{r} Torner for newe-making of the Buttes - ix *s.*
Item, payed for fiftye yeardes of London russett that daye to M^{r} Hotson for the townes liueries at viii *s.* the yearde - - - - - xx *li.*
" " for canvas to wrape the clothe in - - xvi *d.*
" " for M^{r} Stanelis charges and myne with twoe men and iiii horses xviii dayes at ii *s.* viii *d.* the daye man and horse - - - ix *li.* xij *s.*
" " for fyer dueringe that tyme vi *d.* per daye amounteth to ix*s.*, for washinge of shertes, shewinge of horses, mending of saddells and reward to the howse where we laye - - xix *s.*
" " for M^{r} Hoopers charges at Winsor vij dayes and his twoe men at iiij *s.* - - - xxviii *s.*
" " &c. &c.

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Occasionally the searcher of the accounts comes upon payments to players, such as the following of 19–20 Elizabeth,—

Item, paid by consent to xi players, beinge the Lorde of Bathe's players, the firste of Maie 1577 - - - xiij*s.*iiij*d.*

Item, paid by consent to my Lorde Delawarre's plaiers being tenne of them the vi^th^ of May - - - x *s.*

Item, paid by consent to the Earle of Worcester his players the 14 of June, beinge x of them - - - - x *s.*

Item, paid the 24^th^ of June to sixe of my Lord Clinton's players - - - - - - - x *s.*

Save that they usually tell the number of persons in the wandering troops (information seldom given by municipal chroniclers) the entries touching players are unimportant.

(6.)—1496 to 1704 A.D. The Book of Oaths, ordinances and burgesses, admissions. Opening with forms of oaths to be sworn on admission to franchise or office by (1) Burgesses, (2) Commoners "admytted to set vp in any arte, scyence or occupacion withyn the towne, (3) Maiors, (4) Aldermen and Justices of the Peace, (5) Constables of the Staple, (6) Recorder or Town Clerke, (7) the Sheriffe, (8) Bailiffes, (9) the Crowners, (10) Cunstables, (11) the Pettye Customer, (12) the fower Discretes of the Market, (13) the Fower Serjantes, (14) the Receaver of Custome and Brocage at the Bargat, (15) Brokers betwixt merchante and merchante, (16) Measurers of Clothe, (17) the Steward, (18) Measurers of Salt and Corne and other, (19) the Teller of Leather, and (20) the Alderman of Portiswoade, this book of record contains on later pages more recent forms of oaths to be sworn by Assistants, Packers of Herrings, and other officers of the community; the earlier set of oaths being followed in the register by "Certaine olde auncient and laudable ordinaunces touching the Burgesses and their duties of and within Suthampton," in eighty chapters, comprising the French ordinances of the Oak Book translated into English and other orders.—Beginning with the record of Richard Wotton's admission into the gilde on 15 June, 11 Henry VII., the Register of burgesses' admissions is continued to 21 July 1704, and contains the records of the enfranchisement of the following more or less notable persons:—

Maurice Barkeley, seconde sonne of Edward Barkeley late burgesse of this towne, 10 September, 22 Henry VII.

John Arpit vicar of St. Michaelle's churche in the towne of Suthampton, on Friday next after the feast of St. Michael, 2 Henry VIII.

John Wilcok, D.D., vicar of the parisshe churche of Holy Rodes in the towne of Southampton, on the Friday after Michaelmas, 2 Henry VIII.

William Seint-John, otherwise called William Poninges, 18 March, 3 Henry VIII.

Walter Maye, Prior of the priory of Sainte Dennys by the towne of Suthampton, 2 April, 3 Henry VIII.

Thomas Skevington, Bishop of Bangor and Abbot of the monastery of Sancte Mary the Virgin of Kinges Bewly, on Friday after Michaelmas, 6 Henry VIII.

John Corne, Abbot of Letley, 3 August, 16 Henry VIII.

William, the Honorable Erle of Arundelle, 13 January, 16 Henry VIII.

Master John Alen, Doctour of both lawes, Chancelour of our Lorde the Kinge, one of the Maisters and . . . of the churche of

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Sainte Mary the Virgen of the towne of Suthampton, 28 March, 18 Henry VIII.
Thomas Pace, gentleman, 31 December, 25 Henry VIII.
John Newton, esquire, 24 October, 26 Henry VIII.
Anthony Guidotty, merchante of Florence, 14 January, 26 Henry VIII.
Thomas Welles, gentleman, 1 July, 27 Henry VIII.
Thomas Bettes, son of James Bettes esquire, 18 October, 27 Henry VIII.
John, Abbot of the monastery of Saint Mary the Virgen of Kinges Bewly, 28 January, 27 Henry VIII.
Thomas, Abbot of the monastery of Sainte Mary the Virgen of Kinges . . . ., 28 January, 27 Henry VIII.
William, Abbot of the monastery of Sainte Mary the Virgen of Kinges Waverley, 28 January, 27 Henry VIII.
William, Abbot of the monastery of the blessed Virgen Mary of Kinges Guarre, 28 January, 27 Henry VIII.
Michael Lyster esquire, 12 September, 27 Henry VIII.
Francis Dautrey esquire, 12 September, 27 Henry VIII.
William Thorpe esquire, 12 September, 27 Henry VIII.
William Barkeley knt., 18 January, 28 Henry VIII.
James Wursley knt., 20 August, 29 Henry VIII.
The Honorable Lord Maltravers, 27 September, 29 Henry VIII.
John Walloppe knt., 27 September, 29 Henry VIII.
Thomas Lisle knt., 27 September, 29 Henry VIII.
Clement Harleston knt., 27 September, 29 Henry VIII.
Richard Blounte esquire, 27 September, 29 Henry VIII.
Thomas Welles the elder esquire, 16 September, 32 Henry VIII.
Thomas Sherley gentleman, 27 February, 32 Henry VIII.
John Warener, barbour and surgyn, 4 January, 35 Henry VIII.
William Kalway esquire, 29 July, 1549 A.D.
Sir Hugh Paulet knt., 23 November, 3 Edward VI.
Sir John Kingesmill knt., 8 April, 7 Edward VI.
Olyver Saint-John esquire, 26 September, 2 & 3 Philip and Mary.
Richarde Worsleye esquire, 2 January, 1555 A.D.
William Bowier gentleman, 16 August, 2 & 3 Philip and Mary.
Thomas Shukborowe, 16 August, 2 & 3 Philip and Mary.
Edmund Cockerrelle gentleman, 30 September, 1 Elizabeth.
Thomas Carewe esquire, 19 September 1561 A.D.
John Hoper esquire, 28 November 1561 A.D.
Charells Vaghan gentleman, 12 December 1565 A.D.
Henry Wallopp esquire, 20 April 1569 A.D.
John Worsley esquire, 16 September 1569 A.D.
Oddet de Colligny, Cardinall de Chastillon 29 October 1570 A.D.
Edward Horssey esquire, Captayne of the Quene's Majesties Isle of Wight, 29 October 1570 A.D.
James Pagget esquire, 29 October 1570 A.D.
Gilbert Wells esquire, 13 January 1571 A.D.
John Searlle gentleman, 13 January 1571 A.D.
John Barnabie gentleman, servant to the Rt. Hon. the Earle of Lecester, admitted at his lordship's request, 31 March 1572 A.D.
John Penrodocke esquire, Recorder of the town of Southampton, 21 May 1572 A.D.
The Rt. Hon. Henry, Earl of Suthampton, 1 December 17 Elizabeth.
The Right Worshipful Roger Manwood, one of the Quene's Justices of the Court of Comen Place at Westminster, 28 March 1577 A.D.
Thomas Fleming esquire, 28 February 1579 A.D.

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Sir Thomas Leighton knt., Captain of the Quene's Majesties Isle of Guarnzey, 1 April 1580.
Foulk Grevill esquire, son and heir of Sir Foulk Greuill knt., 27 January 1580.
Thomas Wilkes esquire, one of Her Majesties clarkes of the Privy Council, 28 January 1580.
Richard Knight esquire, 9 September 1581.
William Lewkner esquire, 1 February 1581.
Henry Knowlls esquire, 17 March 1581.
Martin Furbusher gentleman, 17 March 1581.
Frauncis Mills gentleman, 17 March 1581.
Sir Humfrey Gilbert knt., 27 August 1582.
The Rt. Hon. Henry, Lord Haward and Viscount Bindon, 14 September 1582.
William Wallope esquire, 20 March 1584.
Sir George Carie knight, Marshal of Her Majesties Household and Captain of the Isle of Wight, 2 August 1584.
The Rt. Hon. Sir Henry Carey, K.G., Baron Hunsdon, 28 October 1585.
Thomas West esquire, 28 October 1585.
The Rt. Worshipful Sir Walter Raleigh knt., 10 September 1586.
Caro Raleigh esq., 10 September 1586.
Sir Edward Hobbi knt., 2 May 1587.
Sir John Norrys knt., Lord President of Munster in the realm of Ireland, 1 May 1588.
The Rt. Hon. Sir Edward Seymour knt., Lord Beauchamp and Earle of Hertforde, 4 June 1588.
John Seymour esquire, 4 June 1588.
The Rt. Hon. Charles, Lord Howard and Baron of Effingham, Lord High Admiral, 23 June 1589.
The Rt. Hon. Robert Earl of Essex, 13 August, 31 Elizabeth.
The Rt. Hon. George, Earl of Comberlande, 13 August, 31 Elizabeth.
The Rt. Hon. Ferdinando, Lord Straunge, 3 October, 32 Elizabeth.
The Rt. Hon. Henry, Earl of Suthampton, 9 January, 33 Elizabeth.
The Rt. Wor. Thomas Candishe esquire, 9 July, 33 Elizabeth.
The Wor. Olliuer Cromewell esquire, son and heir to Sir Henry Cromewell knt., 9 July, 33 Elizabeth.
Don Anthonio, King of Portugal, 11 May, 33 Elizabeth.
The Right Wor. Julius Cæsar D.C.L., Judge of Her Majesty's High Court of Admiralty, 10 August, 34 Elizabeth.
The Rt. Hon. Sir Edmunde Anderson knt., Chief Justice of the Common Pleas, 19 March, 34 Elizabeth.
The Rt. Hon. Thomas Gent, Baron of the Court of Exchequer, 16 July, 34 Elizabeth.
Sir Walter Sandes knt., 30 December, 35 Elizabeth.
The Rt. Hon. Lord Henrie Seymour, 7 January, 35 Elizabeth.
Sir John Savadge knt., 8 August, 35 Elizabeth.
The Rt. Hon. Robert, Lord Riche, 28 May, 36 Elizabeth.
Sir Charles Blunt knt., Governor of Portesmuthe, 28 May, 36 Elizabeth.
Rt. Wor. Robert Duddeley esquire, 6 November, 36 Elizabeth.
Rt. Hon. Sir Thomas Wallmesley, Justice of the Court of Common Pleas, 6 February, 37 Elizabeth.
The Wor. Edward Fermer esq., one of the Justices of Her Majesty's Bench, 13 August, 37 Elizabeth.
Sir Anthonie Sherley knt., 16 April, 38 Elizabeth.
Thomas Lambert esquire, 16 April, 38 Elizabeth.

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Hampden Pawlett esquire, 20 July, 38 Elizabeth.
The Worshipful John Trevor esquire, 13 August, 38 Elizabeth.
The Worshipful Robert Sackvill esquire, son and heir of the Lord Buckhurst, 5 September, 38 Elizabeth.
The Rt. Worshipful Sir Mathewe Arrundell knt., 30 September, 38 Elizabeth.
Sir Olliver Lambert knt., 27 November, 39 Elizabeth.
The Rt. Hon. William, Lord Seint John, 16 January, 39 Elizabeth.
The Rt. Hon. William, Lord Sandys, 16 January, 39 Elizabeth.
Henry Wallop esquire, son and heir of Sir Henry Wallop knt., 16 January, 39 Elizabeth.
Benjamin Ticheborne esquire, 16 January, 39 Elizabeth.
William Uvedall esquire, 16 January, 39 Elizabeth.
Gyles Hobbie esquire, 16 January, 39 Elizabeth.
Henry Audeley esquire, 16 January, 39 Elizabeth.
Richard Kingeswell esquire, 16 January, 39 Elizabeth.
Henry Collthorpe esquire, 16 January, 39 Elizabeth.
Sir Henry Durant knt., 5 November, 39 Elizabeth.
Thomas Connawaye esquire, 5 November, 39 Elizabeth.
Carey Reynolds esquire, one of Her Majesty's gentlemen pensioners, 5 November, 39 Elizabeth.
William Cotton esquire, 5 November, 39 Elizabeth.
William Duttson esquire, 7 November, 40 Elizabeth.
John Yonge of Chichester esquire, 7 November, 40 Elizabeth.
William Gressham esquire, 7 November, 40 Elizabeth.
Thomas Kervyse of Stanbridge esquire, 9 November, 40 Elizabeth.
Roger Tuchborne of Shervill co. Southampton, 9 November, 40 Elizabeth.
Thomas Cheeke esquire, 8 January, 41 Elizabeth.
Thomas Fleminge esquire, son and heir of Thomas Fleminge esquire, Her Majesty's Solicitor-General, 8 January, 41 Elizabeth.
Symon Steward esquire, 8 January, 41 Elizabeth.
William Fletewood esquire, Her Majesty's Receiver-General of the Court of Warde and Liveries, 8 January, 41 Elizabeth.
Robert Wright D.D., 8 January, 41 Elizabeth.
Thomas Clerke of Avington esquire, 3 May, 41 Elizabeth.
Sir William Clarcke knt. 13 August, 41 Elizabeth.
Sir Robert Needham knt., 13 August, 41 Elizabeth.
Sir Michael Blunt knt. 13 January, 42 Elizabeth.
The Worshipful Rowland Litton of Knebbworth, co. Hertford, esquire, 2 May, 43 Elizabeth.
Sir Richard Fetteplace knt. 4 June, 44 Elizabeth.
Thomas, Lord Dellawarr, 22 September, 44 Elizabeth.
Sir Thomas Sherley the elder knt., 22 September, 44 Elizabeth.
Sir John Tracey of Tuddenham, co. Gloster, knt., 22 September, 44 Elizabeth.
Sir Peter Warberton, knt., Justice of the Common Pleas, 31 July, 1 James I.
Edward Savadge, esquire, 31 July, 1 James I.
Sir William Rider knt., Lord Mayor of London, 12 August, 1 James I.
Sir Thomas Laake knt., Clerk of His Majesty's Signet, 12 August, 1 James I.
Sir William Peyton knt., Gouernor of Jersey, 30 August, 1 James I.
Sir John Peyton knt., son of the said Sir William, 30 August, 1 James I.

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Sir Thomas Edmondes, a Clerk of the Privy Council and His Majesty's Secretary for the French Army, 7 September, 1 James I.

Sir Lewis Lewckner knt., Master of the Ceremonies and one of the Honorable Band of His Majesty's Gentlemen Pensioners, 19 September, 1 James I.

Sir Robert Sidney knt., Lord Sidney of Penshurst, Lord Chamberlain to the Quene's Majesty and Governor of Flushinge, 14 October, 1 James I.

Sir Frauncis Knollys knt., 14 October, 1 James I.

Sir William Courtney knt., 14 October, 1 James I.

John Leweson esquire, "Querry to the Quene's Majesty," 14 October, 1 James I.

The Rt. Hon. Henry, Earl of Northumberland, 15 October, 1 James I.

The Rt. Hon. Lodovike, Duke of Lenox, 21 October, 1 James I.

The Rt. Hon. Thomas, Earl of Suffolke, 21 October, 1 James I.

The Rt. Hon. William, Earl of Pembroke, 21 October, 1 James I.

The Rt. Hon. John, Earl of Marr, 21 October, 1 James I.

The Rt. Hon. the Lord Hewme, 21 October, 1 James I.

The Rt. Hon. William, Lord Effingham, 21 October, 1 James I.

Sir Thomas Areskin, knt., captain of His Majesty's Guard, 21 October, 1 James I.

Sir Philipp Harbert knt., 21 October 1 James I.

Sir James Haye knt., 21 October, 1 James I.

To the records of these admissions of 21 October, 1 James I., is appended this marginal memorandum "The Kinge's Ma^tie was this daye in this towne & came hither yesterdaye the xx^th of October & this daye went to Sarum."

The Rt. Hon. John, Lord Ramesey, 14 September, 4 James I.

The Rt. Hon. John, Lord Areskin, son and heir of the Earl of Marr, 14 September, 4 James I.

Sir Patricke Moory knt., 14 September, 4 James I.

Sir Thomas Savage knt., 28 July, 5 James I.

Sir Walter Tichborne knt., 28 July, 5 James I.

Sir Peter Bucke knt., 1 September, 5 James I.

Sir John Doddridge knt. S. L., 14 September, 5 James I.

Sir Myles Fleetwood knt., 14 September, 5 James I.

Sir Gerrard Fleetwood knt., 14 September, 5 James I.

Sir Richard Gifforde knt., 21 December, 8 James I.

Sir Frauncis Castilian knt., 21 December, 8 James I.

Robert Wallopp esquire, 21 December, 8 James I.

Payne Fisher gentleman, 21 December, 8 James I.

William Conaway, Doctour of Phisicke, 1 September, 9 James I.

Hennage Finche of the Inner Temple, London, esquire, 6 September, 12 James I.

Frauncis Asheley of the Middle Temple, London, esquire, 6 September, 12 James I.

The Rt. Hon. Charles, Lord Lambarte, 17 September, 17 James I.

The Rt. Hon. Lionell Lord Cranfield, Earl of Middlesex and Lord High Treasurer of England, 4 June, 21 James I.

The Rt. Hon. . . . Lord Marquesse Hamilton, Earl of Cambridge, K.G., 4 June, 21 James I.

The Rt. Hon. Thomas, Earl of Arundell and Surrey, 4 June, 21 James I.

The Rt. Hon. Arthur lord Chichester, Baron of Bellfaste, Lord Treasurer of Ireland, 4 June, 21 James I.

Sir William Spooner knt., 4 June, 21 James I.

Sir Thomas Badger knt., 4 June, 21 James I.

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Inigo Jones, esq., 4 June, 21 James I.
James, Lord Wriothesley, son and heir of the Rt. Hon. Henry, Earl of Southampton, 6 July 1623.
Thomas Wriothesley, esq., 6 July 1623.
Richard Cromwell of Henshinbrook co. Hunts. esq., 6 July 1623.
The Rt. Hon. Sir Robert Ritche knt., Earl of Warwick, 25 October, 2 Charles I.
Raphael, Allen, barber-surgeon and servant to the Rt. Hon. Edward Lord Conway, 25 October, 2 Charles I.
The Rt. Hon. Edward, Lord Conway, 9 December, 2 Charles I.
Sir Henry Mildemay knt., Master of the King's Jewel House, 11 December, 2 Charles I.

Bearing in mind that it might be extended to three times its length, the peruser of the foregoing list of exemplary names will not hesitate to infer that during several successive generations, it was the practice of chiefs of the corporation to draw within their lines, by means of complimentary enfranchisement, most of the persons of rank or considerable quality who passed through the town. The entries of the commonwealth period may be especially commended to the consideration of students and historians of Hampshire in the seventeenth century.

(7.) Extracts from the Books of examinations, informations, and depositions; an imperfect series of books, beginning with Volume 1576–7.

16 June 1590. Letters (from Lords of the Council to all Mayors, sheriffs, &c., &c.) of safe-conduct and free passage for John Battrae, Michael Hornet, and Mathias Petrus, all of Hungarie, who in defence of the Gospel have been taken prisoners by the Turk, and are bound to redeem themselves by the payment of heavy ransoms, "for the answeringe whereof they have accordinglie putt their friends in pledge;" With permission to the same John Battrae, Michael Hornet, and Mathias Petrus to return beyond the seas, and on their way to gather money of Her Highness's "subjects towards their relief, recoverie of theire estate and redemption of theire pledges abovesaide." Dated (with nine signatures) from the Court at Greenwich.

22 February 1663. Deposition of Richard Massey of Milbrook co. Southampton gentleman, aged sixty-three years, before John Stepto, mayor of Southampton. Deposing "that hee hath alwaies hitherto heen a true and faithfull subject to our souverein Lord the King that now is, That he never searched either in the Lord Treasurer's house or any other house or place whatsoever for him (as maliciously hath been lately affirmed against him); but on the contrary ever earnestly desired his Maties restauracion and was and yett is ready to serve him with his life and fortune and hath alwaies been conformable to the discipline of the Church of England as it is now established; Further he deposeth that hee suffered very much in the late troubles by being plundered by the Parliament's forces and was not only by their power carryed a prisoner to Portsmouth but unduly put out of the Surveyor's place in the Custome House of the Port of Southampton."

3 May 1577. From the Lords of the Council to all Justices of the Peace, maiors &c. Letters (copy) of safe-conduct and free-passage for the bearers thereof, viz., "Mounser de la Persone, Mounser de Hearcourt, Mounser de Bonecourte and Mounser de la Hugnery frenche gentlemen w^th^ their traynes and servantes to the number of xxx persons," who have "hir Maties good favor and licens presently to repayer into Fraunce." Dated from Westminster.

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29 March 1628. Deposition of George Gregorie of London merchant, aged 24 years, that Richard Tirrill of Southampton "sett forth in a voyage to St. Christopher's Island from Yarmouth in the Isle of Wight about the xxixth day of Aprill last past in a shipp called the Faith of London, of the burthern of 300 tonnes or thereabouts, · · · and dyed on that voyage"; the deponent being qualified to speak to the facts, "because he went the same voyage in the same shipp in the companie of the said Richard Tirrell, being factour for one M^{r} Maurice Tompson, a merchaunt of London, who was an adventurer in that same shipp."

13 September 1629. Relation of Steven Day of St Katherine's near London, "Marriner-gunner of a shipp called the St. Claude, whereof Capteine Leonard Caluert, soune of the Lord Baltimore was capteine, in a voyage to Newfoundland, set forth about Aprill last past, being one of His Majesty's shipps, lent to carrie provision thither for the Lord Baltimore." With several other depositions touching the same ship and voyage.

28 November 1624. Several depositions respecting the suspicious behaviour and language of one William Morgan B.A. Oxon, and clerk, charged with saying that the Queen Elizabeth was a whore and a witch, that the King of Spain paid his soldiers more in a single year than all the revenues of England were worth, and that before the body of Henry late Prince of Wales was cold on earth "his soule was frying on a grid-iron in hell;" one of the depositions being the same William Morgan's account of his education, employment in England, travels in foreign countries, and experience since his return from foreign parts to his proper country. In this long and curious narrative of his personal adventures, the deponent certified that he was born in Merionethshire, was a Bachelor of Arts of Oxford, and had kept a school and served a cure in Somersetshire, when moved with desire to see lands beyond sea, he threw up his school and cure, and starting forth with 18*l.* in his pocket and no other resources went to Boulogne, Paris, and Rome, on withdrawing from which last-named capital, he "travelled over the Alpes into Germanye" and concluded his continental wanderings by taking ship at Dunkirch for Ipswich co. Suffolk, whence he journeyed to Cambridge, Bedford, Wallingford, Newbury, and Southampton, being aided and sustained on his way by the hospitalities of the clergy, who befriended him as an unfortunate member of their own order, and by the benevolences of other charitable individuals. As to the charges made against him, the deponent averred, that in answer to a question, he had said of Queen Elizabeth "In Spayne *they* say shee was a whore and a witch," and only repeated what was said on the authority of a Catholic priest in Rome to the late Prince of Wales's discredit, viz., "that before his body was cold on earth, his soul was frying in hell."

Containing particulars of evidence touching the more important of the various criminal matters and civil causes, that held the attention of the Borough Magistrates, these books of depositions and examinations are notably rich in evidential writings, having reference to suits in the Southampton Admiralty Court, and the doings of our merchant adventurers from the reign of Elizabeth to the close of the seventeenth century. The historian of England's maritime interests, desirous of producing a complete narrative of the exploits of our merchant adventurers—and more especially of those of them who were concerned in the first settlement and maintenance of our plantations in the West Indies and the mainland of North America—should seek access to these books, in order that he may search them for particulars respecting the

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vessels, seamen, and colonizing adventurers who crossed the Atlantic in the days of Elizabeth and the seventeenth century Stuarts.

(8.) 1591 to 1689 A.D. Book of Remembrances of the town of Southampton; with Assembly orders and minutes, &c.: Containing the following copy of Letters certificatory and commendatory, dated by Anne of Denmark in behalf of her players:—"Warrant from the Queene's Majestie of her Players. Anna Regina.—Anne by the grace of God Queene of England, Scottland, Fraunce, and Ireland. To all Justices of the Peace, Maiors, Sheriffs, Bayliffes, and all other his Majestes Officers and loving subiectes to whom yt shall or maye appertaine greetinge, Know yee that of our speciall grace and favour, Wee are well pleased to authorize under our hand and signett the bearers hereof our sworne servauntes Robert Lee, Martin Statier and Roger Barfeld with theyr fellowes and associates being our Commedians vppon theyr humble suite unto us for theyr better mainetenaunce, Yf att annie time they should have occasion to travell into anie parte of his Majestes Dominions to playe Tragedyes, historyes, commedies and pastoralls as well in anie about the Cittye of London, and in all other cittyes vniversities and townes at all time anie times (the time of divine seruice onlye excepted), Theise are therefore to will and requier you uppon the sight hereofe quiettlye and favourably with your best favours, to permitt and suffer them, to use theyr sayd qualitye within your Jurisdiccions without anie of your molestacions or troubles, and also to affourd them your Townehalls and all other such places as att anie time have been used by men of theyr qualitye, That they maye be in the better readiness for our seruise when they shalbe thereunto commaunded, Nott doubtinge butt that our sayd servauntes shall find the more favour for our sake in your best assistaunce, Wherein you shall doe vnto us acceptable pleasure. Given att the Court of Whitehall, the seaventh daye of Marche 1605."

(9.) Extracts from the Assembly Books: An imperfect series of volumes, beginning with the register of 1602–3 A.D.

2 October 1, 1605. "Uppon the repaire hither of iiii^{xx} x Irishmen souldiers bounde for Flushinge vnder the conduct of one Lieutenant Tirrell under Captain William Darsie, whose cominge to the Towne was from St. Ives in Cornewall, hopinge here to meet with a barke for there transportacion as was promised them as they saye, and missinge the said barke and againe the winde beinge contrarie not likelie to come thither a longe time, they beinge in great want of monie for their reliefes, not havinge anie to supplie there wantes, exhibitinge there peticion to that effect vnto the Maior, desiering that he or the Towne would take order for there victuallinge and diettes in this Towne for iii or iiii dayes within which time (as they alleadged) they hoped to receave monies from there Capten.—Yt was rather ordered by the Howse to ridd them out of the Towne, and to bestow vppon them in monie fortie shillinges which was by the consent of the Howse presentlie giuen them by M^{r} Maior, together with a passport for there travell to London."

2 April 1613. "This daie Stephen Chaplyn is admitted to be one of the musitians of this towne in the place of William Tompson, and the saide Stephen Chaplyn is to furnisshe the companie with him selfe and two others, and William Greene one other the said musitians is to furnisshe the said companie with himselfe and one other. And the saide Stephen Chaplyn doth hereby covenaunt . . . . to redeliver or cause to be redelivered unto the said Mayor bailiffes and burgesses and

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their successors or assigns, one of the Cognizaunces or Badges above mencioned (which he is presentlie to receave) at any tyme or tymes when he shalbe thereunto required.

12 August 1608. "Alsoe this daye Judith Bradinge, daughter of Besse Brankie (*sic*), approoved to be a whore by her owne confession, As also Walter Bands wife, a notable Bawde, havinge bene heretofore punished for bawdrye and now alsoe approved against her: Yt is ordered that the saide bawde Wooddye bande shalbe soundlye whipped at a carts tayle throughout the towne, and the said Judith to be whipped closelye in the Townehall.

10 February 1608. "Hughe New a Sargeweaver havinge by letter complayned to Mr. Maior of a lewd housewife named Judith Bradinge daughter of Elizabeth Brankin (*sic*), heretofore detected for her honestie and punished, was this daye sent to the house, and the said Judith alsoe present; Uppon heeringe of whiche complainte in the presence of both parties, yt plainelie appeareth by her owne confession uppon her knees askinge God and said Hughe New forgivnes, acknowledginge she hath slaundered him without anie cause . . . . . Yt was thought fittinge by the House that she should receave open punishment, but that, uppon her humble suite and peticion promissinge to depart this towne, her punishment is respetted."

28 April 1615. "This daie Jane Maiior being presented at last Sessions by the Grand Jurie for a churwoman and this daie sent for to this house was appoynted to place herself in service within a month now next comynge at her perille."

28 April 1615. "Susan Vibert a churwoman, who latelie came out of Jarsey is this daye appoynted to returne againe into the saide Ile of Jarsey in the next barcke that saileth thither."

28 April 1615. "Margaret Rumboll a churwoman was this present daie sent for to this house and charged to gett herselfe into service presentlie uppon payne of a whippinge."

28 April 1615. "Mary Quinton a churwoman was this present daie alsoe sent for and charged to gett herselfe into service within one moneth next at her perill."

27 October 1615. "This day Ordered, that whereas it hath pleased Almightie God to vysite M^rs^ Toldervey, wife of M^r^ Phillip Toldervey, alderman, with a lunacy and great distemperature of minde, as too notoriously appereth; The like wherof he may (if so be it his pleasure) lay uppon any one of us: from the which we humblie beseech his Majestie to preserve us and all others, and for his mercies sake to restore her to her former sence and understanding: In the meane time, seeing that her speches are manie times most idle odious and scandalous againste His Majestie and the state, and that also her walking abrode appereth to be verie daungerous, bothe in regarde of her owne percon and also of others her neighbours whoe stand in great feare of her: It is thought fitt and so ordered by the Assembly of this house this day, that the said M^r^ Toldervey be required to take course, that she may not hencefourth walke abrode out of his house, but be closely kepte upp, untill it shall please god to geve her a feeling of his grace. All which we require to bee done, as well to prevent all daunger of hurte unto her owne percon as aforesaid as to others, Whoe alredie stand in great feare of her, to avoide all disquiettnes in the Church at the Assemblies, both on the Sabboth daies and other daies for Christian exercises, As also all occasion of scandall by reason he is one of our Company: which if he

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shall refuse or wilfully neglect to do, we shalbe forced to take such further order, as we are and shalbe unwilling to proceede unto."

5 May 1620. "Stephen Chaplyn one of the Musitians of this towne beinge for drunkennes and other mysdemeanours by him oftentimes committed thought an unfitt person to be one of the Companie of the Musitians of the same Towne, and therefore he being this daie called to this house and forbidden to be anie more of the saide Companye, his Lyverie was taken from him: It being then agreed that he shall have so much allowed him as the making of the Lyverie amounted unto . . . . Memorandum that he had his lyverie redelyvered againe, uppon promise that he will not be drunken againe hereafter."

6 February 1623. "Stage players. Forasmuch as the grauntinge of leave to stage players or players of interludes and the like, to act and represent theire interludes playes. and shewes in the towne-hall is very hurtfull troublesome and inconvenyent for that the table benches and fourmes theire sett and placed for holdinge the Kinges Courtes are by those meanes broken and spoyled, or at least wise soe disordered that the Mayor and bayliffes and other officers of the saide courts commynge thither for the administracion of justice, especially in the Pipowder Courts of the said Towne, which are there to bee holden twice a day yf occasion soe require, cannot sit there in such decent and convenient order as becometh, and dyvers other inconvenyences do thereupon ensue, It is therefore ordered by generall consent that from hensforth no leave shall bee graunted to any stage players or interlude players or to any other person or persons resortinge to this towne to act shewe or represent any manner of interludes or playes or any other sports or pastymes whatsoever in the said hall."

18 May 1632. "This day there was a certificate made and sealed with the lesser seale of office of mayraltie and was signed by those whose names are in the margent directed to the Lords and others of His Majesties most Hon^ble Privie Councell concerninge the venting and selling of tobacco by retaile, what persons were thought most fitting within this towne to use that trade, according as the Mayor and aldermen of this towne were required by theire honors letters, bearing date the last of Aprill last paste, And Joseph Mason, Richard Cornelius, and William Stanley, grocers, James Mason, John Harman, and Thomas Dowse chaundlers, and John Thackham apothecario were returned in the certificate fitt persons to vent and sell Tobacco by retayle."

10 May 1639. "This day Jacob Thring a fencer being sent for to this house and questioned for infamous words and lyes by him reported about the Towne concerning M^r Gollop alderman, and constantly denying them till it was proved to his face by William Higgins, was committed to the bargate prison, there to remaine till hee shall finde sufficient sureties for his appearance at the next Sessions, there to be ordered for his lewd carriage. Hee reported that hee had putt a tricke vpon M^r Gollop by way of scoffe and derision, saying that M^r Gollop mett him in the streete and called him Syrrah, askeing how often his servant had beene in the said Thringes schoole: And that hee the said Thring disdayning to be called Syrrah presently clapt on his hatt and stucke it up before M^r Gollop: And that M^r Gollop asked him whether hee knew to whom hee spake, and that hee the said Thring answered him scoffingly, that hee did not ride a gallop, but hee knew that hee spake to Alderman Gallop. . . . . All which are notorious lyes."

8 November 1642. "It is this day ordered and agreed in the presence of M^r Maior and M^r Whitehead, M^r Button, and M^r Hooper esqrs.,

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three of the Deputie Lieutenants of the countie of Southampton, and of the towne and countie of Southampton with the assent of the aldermen and assistants then present, That the said Mr Whitehead, collonell of a regiment in com. Southampton, doth or shall bring into this towne and countie of Southampton the number of 300, 400 or 500 men for appeasing the present tumult within this towne and such as may in future time arrise, and for the defence of the same towne, shalbe admitted into the saide towne, Provided that the said collonell doth duly and orderly pay the said 300, 400 or 500 men."

27 November 1642. "It is this day ordered and agreed that the persons undernamed shall have authority for the defence and safegard of this Towne, to summon by beating [drum], in case any assault shalbe made upon the same, the inhabitants of the several wards to them hereby assigned, and in the meane time to putt them into such a posture of defence as they shall thinke best for the security and keeping of the same towne, vizt. For the ward of Holly Roodes Henry Bracebridge . . . , Peter Legay, Robert Mason, and James Mason: For the ward of All Stus Peter Clungeon and Robert Wroth aldermen, Roger Pedley and William . . . . ; For the wards of St Michaell's and St John's, Edward Richards esq. Joseph Delamotte and Gyles Clement."—Also, on the same leaf (1 December 1642). An order for deferring all enquiry respecting the recent tumults in the town, lest the inquisition should occasion fresh tumults, which "might draw forces upon the Towne from the Kinges ships."

2 December 1642. Letter from Richard Swanley to the Mayor and aldermen of the Town of Southampton.—"You well know in what distraccions this kingdome is in at this Time. I am placed here by authority of Parliament, for the quiett and peace of this parte of the kingdome, which I shall endeavour to maintaine as farre as my abillity of life and fortune may extend. Your Towne is a considerable place of merchandizing, and by reason thereof are men amongst you of very good fortune and estates, and to preserve their estates and soe in generall through the whole kingdome, with their religion and libertie is the only ayme of Parliament, and noe question those that shall oppose either of these are vnfitt to enjoy either, but to be branded with baseness: There are divers reports in the County of your forwardnes in opposing the Parliament herein, but I hope you wish your owne peace herein, better then soe, if you should there can nothing befall you but ruin and destruccion. To know the truth of this I have sent my letter unto you, as likewise whether you will submitt your selves obedient to the commands of Parliament, and soe consequently to the direccions and commands of the Gouvernor of Portsmouth, and the Committee there authorized by both houses of Parliament for the peace of this parte of the kingdome. I have seized Cashott Castle, disabled St. Andrewes Castle and Netley Castle, I have seased all the boats at Hirth and thereabouts, I have given order to stop all provision from comming out of the Isle of Wight, all wch I have done by Command of the Committee at Portsmth. I have alsoe authority to summon you and that Towne to your obedience to the Grand Councell of England to which I desire an answer, if noe answer I shall take it as a deniall, and then if any unhappines befall you thanke yourselues, for I shall to my uttermost endeavour use all my power to bring you thereunto. I pray you lett this letter bee knowne to the Commons as to your selves. Thus expecting an answer by this messenger I rest Yours as you use your selves. Ric. Swanley.
Dated from "On board his Majesties ship the Charles."

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3 December 1642. Letter from the Mayor and aldermen of Southampton to Captain Swanley aboard the Charles, riding at anchor neere Cowes. —" Sir, Yours of this month wee received this day about one of the clocke, the contents whereof cannot be communicated to the Inhabitants of this Towne untill Munday next; in the meanetime, We cannot but marvell that reports of our disaffeccion to the Parliament should bee spread of us, not knowing that wee haue done any acte to deserve the same. A more full answer to your letter you shall receive some time the next weeke. This with our hearty commendacions unto you remembered, Wee remaine Your very loving Freinds, Peter Seale, Maior" (with nine other signatures).

5 December 1642. Letter from the Mayor aldermen and burgesses of Southampton to Captain Richard Swanley; with a copy of the following letter of the same date, from the same Maior aldermen and burgesses to the Committee for the Countie of Southampton at Portesmouth.—" Worthy Sirs, It may please you to take notice that Wee lately received from Cap. Swanley a letter which wee thought fitt herewith to send you: We are heartily sorry that such suspicions should be uppon this Towne, being confident that there will appeare noe just cause for the same: Mr Maior hath summoned the Inhabitants of the Towne according to direccions and they whose names are hereunder written doe cheerefully and unanimously consent and agree to submitt themselves in obedience to the commands of the King and Parliament (according to the protestacion by them taken), and to the direccions of the Committee authorized by the Parliament for the Countie of Southampton. Our due respects presented wee humbly rest. Your Affectionate Servants." (With ninety-four signatures.)

22 August 1655. Letter from the Lord President Lawrence to [the aldermen and burgesses of Southampton]. " Gentlemen, His Highnesse and the Councell haveing taken into consideration the miscarriages and misdemeanours of William Higgens, Mayor of your Town of Southampton, William Stanley alderman, Edward Downer late High Sheriffe of that Corporacion, appearing by severall examinacions, have resolved That the said William Higgens, William Stanley and Edward Downer be dischardged from holding bearing or exercising the respective offices or places wherein they now are in that Corporacion, and doe hereby require that you and such others as have right in elections of this nature doe forthwith proceede to the elections of other fitt persons in their respective places, and that the persons so to bee chosen bee men of integrity piety and well affected to the present government. Whereof his highnesse and the Councell expect a due observance. Signed in the name and by order of His Highnesse and ye Councill, Hy. Lawrence, President." Dated from Whitehall. Followed in the book by the record of the elections made in accordance with the letter.

1659 December 11; Portsmouth. Letter from Sir Arthur Heselrigge and Colonels Robert Waller and H. Morley to the Mayor aldermen and burgesses of Southampton.—" Gentlemen, God by his providence having brought us hither to the Towne of Portsmuth, the Garrison hath declared for the Parliament. Wee are now considering how the forces and garisons of the Commonwealth according to the trust reposed in us by the Parliament can be disposed of and settled: And having busines of great importance to advise with you about, Wee desire that you or some of you come with all convenient speed to us at Portsmouth where wee shall readily advise with you for the publique good, and the welfare of your Towne. Wee are gentlemen," &c., &c.

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13 December 1659. Letter from the Mayor aldermen and burgesses of Southampton to Sir Arthur Hesibrigge and Cols. Waller and Morley. "Gentlemen, Your Honours' of the xith of this instant is this day come to our handes, which hath beene communicated to the Common Councell of this Towne, who have desired us to acquaint your Honours that this Towne is, and hath for a long time beene under the Command of a Major and Company of Foote Souldiers sent hither by order of the Parliament, who have the keyes of the gates in their possession, and of late they are reinforced which some horse and foote which quarter in this Towne, so that at present the Civil Magistrate hath not any power or capacity left in them to answere Your Honours' desire in waiting on Your Honours, in order to any treaty about it, and doe therefore humbly begg your Honours charitable opinion of us and this Towne, and your favourable excuse of us here in desiring and praying that God may dispose Your Honours hearts and all others of this nation to a generall and settled peace, which hath beene is and shall bee the dayly continued prayers of" &c., &c. (With fourteen signatures.)

8 June 1660. Subscriptions of acceptance of the King Charles the Second's Free and General Pardon, dated at Breda under His Majesty's sign-manual and signet on $\frac{4}{14}$ April last past.

23 June 1662. Letters dated under the Sign Manual and Signet of Charles the Second, and directed to the Mayor and Common Council of the town of Southampton, for the suppression of factious and disobedient persons within the Corporation.

11 July 1665. Letters from Lords of the Council to the Mayor and aldermen of Southampton. For the relief and due care of poor sufferers from the pestilence of the plague, raging within the said town. Followed by a list of contributions towards the relief of the same sufferers, headed "The Charitable Guifts of well Disposed Persons for the Releife of the Poore of this Towne and County in this tyme of visitacion and distresse." Several other entries, having reference to this outbreak of the Plague, appear in the book about the same time.

. . . . August 1669. Orders for the loyal reception of His Majesty the King, on the occasion of his visit to Southampton.

26 November 1669. This House (haveing taken into consideracion the practice of the Citty of Winton and the Corporacion of Rumsey in setting out of halfe pence and farthings for changeing of Money) have unanimously ordered, That whereas severall Inhabitants of this Towne and County have heretofore put forth halfe pence and farthings upon their own private account, Proclamacion to be forthwith made that they severall Inhabitants of the Towne and County aforesaid doe by the first day of January next call in all their half pence and farthings by them severally sett forth, against which said first of January, It is decreed that the Mayor of this Towne send for twenty-five pounds worth of brasse halfe pence and farthings, and cause them to be stamped with the Towne Armes on one side and this Inscripcion on the other side, vizt., "The Corporacion of Southampton to be distributed to the several shop keepers, that have occasion for the same, for the benefitt of the Poore of the Corporacion."

(10.) A Group of Seven Books that may be styled the Molyneux Books, as they pertained in former time either to William Molyneux (the mathematician, who was John Flamsteed's friend) or to his son Samuel Molyneux, and were probably placed amongst the muniments of the Corporation by some Town Clerk, who acted as attorney for either the

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said William Molyneux or Samuel Molyneux, or some other member of the Molyneux family.

(1.) 2 September 1681, to 10 May 1690. John Flamsteed's and William Molyneux's Letters: a Folio (lettered at the back 'Mr Flamsteed's Letters No. 7') containing seventy-one original letters that passed between John Flamsteed of the Greenwich Observatory and William Molyneux of Dublin between the above-given days; the epistles, which relate chiefly to questions arising from the scientific pursuits of the correspondents, being arranged in chronological order between the leaves of the volume in which they are preserved, without being stitched or otherwise fixed. Flamsteed's letters, dated usually from the Greenwich Hospital, are addressed in most cases "To Mr William Molyneux at his father's house near Ormond Gate in Dublin;" and several of the scientific intercommunications of the two correspondents are illustrated with carefully executed diagrams. Reference is made once and again in the correspondence to the labours of Sir Isaac Newton.

(*a.*) 1681 September 17; Dublin. From William Molyneux to John Flamsteed. ". . . . I must returne you my thanks for the troble you put yourself to in trying my glasses. I hope their goodnesse will incourage me to use them to some purpose, especially now that I have the help and advice of one of the most celebrated Astronomers of Europe. . . . But, Sir, I must confesse to you I have not the advantages I expect hereafter. One thing I wanted was the assistance of one skilled in this Cœlestiall Knowledge, but in this I am abundantly and beyond my deserts releived by your generous selfe, for which I shall never be able to make a competent returne. The other is that living here in a kingdome barren of all things, but especially of ingenious artificers, I am wholly destitute of instruments that I can rely upon; but in this too I hope in a short tyme to be supplied."

(*b.*) 1681 December 3; Dublin. From William Molyneux to John Flamsteed. "Honor'd Sir, I deferd my answer to your last of October 12, knowing the ingagements you are under in Terme Time by your Gresham Lectures, which I am hartily sorry to hear you call allmost ruined. Truly 'tis pity so noble a designe shoulde fall to the ground. And 'tis a shame for the gentry of London to suffer the Great Professors of that Colledge to read sometimes to almost bare walls. Were a seditious balling (*sic*) fanatick in the pulpit, he would have a thick audience to hear his infernall doctrines, whilst the Cœlestiall Discourses of a learned astronomer or other mathematician are heard but by a few, and perhaps by them neglected."

(*c.*) 1686 February 20; Dublin. From William Molyneux to John Flemsteed. ". . . . There is lately come up to this Town from the country a gentleman that pretends to discover the Longitude, Jonathan Alland, a man perfectly ignorant of Mathematicks and Astronomy, and yet pretends to this (I believe) by inspiration, for he has no reason; he has pestered our Society with his banter severall times, and tho' what he proposes is to no manner of purpose, yet so hardened he is, as to print his stuff, and has already gotten a Silly Astrologicall Almanack-Scribler in this place to prefix before his Almanack, that the Dublin Society have approved of his (Alland's) Folly, whereas nothing can be more false, for we have told him in a civill way that he is an Asse, but thinking himself a Hind will find his mistake in leaping a ditch. His way in brieff is by the distance of the moon from fixt stars, and he thinks he has invented an instrument for avoiding of errours of Refraction and

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Parallax, whereas certainly the poor man never heard of either Refraction or Parallax till our Society hinted it to him, and to this moment he understands neither fully."

(*d.*) 1688 June 16; . . . From John Flamsteed to William Molyneux. ". . . . I have read some 60 pages of Mr Newton, after which I found the most materiall parte of that booke being mastered the rest would be easy, but it cost me many dayes paines to get through them, and yet I thought my time well requited. At present I have layd him by, but as soone as Mr Sharpe (whom I have hired to supply Stafford's place) returne to me, I shall resume and goo through with him. Mr Sharpe is become an excellent geometrician and algebraist. As soone as he comes to his post and is setled, I shall acquaint you with my labours, for I have resolved that I will persist to the accomplishment of my designe, without any consideration of our present circumstances, and by so doeing I thinke I shall be lesse troubled with the thought of them."

(2.) . . . October 1681. Of the Motion of Heavy Bodys Falling and Projected; In Two Books; Wherein are shewn the Ingenious Performances of Nature by Motion in a Parabolick Line, and the universal Doctrine of Projects is Dispatched by the Description of a Semicircle. By Evangelista Torricellio. Translated from the Latin by W. M. (William Molyneux) for his Father's Use. Dublin: October, 1681. —Two Volumes.

(3.) "Ogygia seu Rerum Hibernicarum Chronologia. Ex pervetustis monumentis fideliter inter se collatis eruta atque e sacris ac profanis literis primarum orbis gentium tam genealogicis quam chronologicis sufflaminata præsidiis &c.: Liber Primus ab universali deluvio ad annum Virginei Partus 428 &c. With dedicatory Letter to the Duke of York (Epistola Dedicatoria Duci Eboracensi) by Rodericus O'Flaherty.—MS. Copy in William Molyneux's handwriting.

(4.) . . . . . Galileo's Dialogues: Translated into English by William Molyneux. With this dedicatory letter to the translator's Honoured and Affectionate Father. "Sir,—I here present you with as much of Galileo in English as serves for your designs. I need not tell you (who very well know already) the disadvantagious circumstances under which I set upon this Translation. But because no one knows the fate of his papers, or into whose hands they may fall hereafter, I must needs intimate, that I had not look'd into an Italian Grammar or other Italian Author over three days before I undertook this work. This I am the more willing to prefix before the following sheets, least hereafter they may be viewed by some that may censure me for the badness of the Translation. But these I will inform beforehand, That I [?did] this only for your Private Use; And also, that tho' I dare not undertake for the litterall exposition of some few places herein, yet I will promise for the full sense of the Whole, two or three passages (which are not at all materiall to the Doctrine) of which I am something distrustfull being excepted. And moreover I will venture to go a little further, and will aver in my own justification, that I do veryly beleive, taking the whole work together, I have performed it better than one more skilld in the Italian, and wholy ignorant in the Doctrine could possibly have done; and for Proof of this I could instance severall passages of the following work, which [? could] not easily (if at all) be rendred by the greatest Masters of that Language, that understood not the matter treated off. As for the baldnes, and sometimes impropriety of the English hereof, I was e'en forced thereto by the Italian, to which (where it was possible with

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any manner of fairnes) I have indeavoured to keep close, least otherwise (especially in matters of the Doctrine) I should vitiate the author's sense, not studying so much Netitude(?) as plainess of expression. Lastly, least I should seem in this translation 'Actum agere,' I must intimate also, That Mr Salisbury's Translation of these same Dialogues perishing all in the Fire of London, not one copy thereof could possibly be procured, or else I should never have undertaken a work for which in some circumstances I must confess myself so unfitt. And if any one on this my confession ask me, Why then did I undertake it, I answer them by saying, it was only for your perusall, to whose service, obedience and satisfaction my whole life shall be devoted, and in part of that great debt of duty and love which is owing to you by, Your Most Affectionate Sonn, William Molyneux."

(*b.*) 9 January 1707 to 19 December 1709. The Letter-Book of Samuel Molyneux of Trinity College, Dublin. Containing copies of the following letters, that passed between the said Samuel Molyneux and various correspondents between the above-given dates.

(*a.*) 1707. January 9.; Wine Office Court, Fleet Street, London. F. Hauksbee to Samuel Molyneux. Letter about air-pumps. Dated from Wine Office Court, Fleet Street, London.

(*b.*) 1707 January 25; Dublin. Samuel Molyneux to the above-mentioned F. Hauksbee. About air-pumps.

(*c.*) 1707 February 27; London. F. Hauksbee to Samuel Molyneux. About an air-pump and apparatus with bill for the same, amounting to £26 8*s.* 0*d.*

(*d.*) Paper entitled "A Description of the Air-Pump," with illustrative diagrams.

(*e.*) 1707 June 24; London. A. Churchill to Samuel Molyneux. About certain "letters of Mr Lock's," which Mr Molyneux has kindly contributed to a collection that is being made of Mr Lock's (John Locke's) letters.

(*f.*) 1707 June 24 . . . . Samuel Molyneux to . Short note in which Mr Molyneux begs his correspondent to transmit an enclosed letter "to the ingenious Mr Derham" who "is well known to all the gentlemen of the Royal Society."

(*g.*) 1707 June 24 . . . . Samuel Molyneux to Mr Derham. Respecting "an extraordinary phenomenon of an unusual glare of light visible in the heavens at Dublin on 2 March 1706 (? 170$\frac{6}{7}$), and the eclipse of the moon that occurred on the 6th of last April." In a post-script the writer says, "Sir I know not whether my Father, Wm. Molyneux, had ye honour of being known to you during his life. If he had the happiness of your acquaintance, I beg yt may in some way excuse the ill manners of his son in thus troubling with an impertinent letter a person no otherwise known to him than as he is to the whole learned world by his great worth and learning."

(*h.*) 1707 July 31; London. F. Hauksbee to Samuel Molyneux. Containing "the farther account of the Condensing Engine."

(*i.*) 1707 August 31; Upminster. Mr William Derham of Upminster to S[amuel] Molyneux. Touching the spots on the sun observed by Captain Stanyan in the year 1703, the last eclipse of the moon, and other matters of astronomical interest.

(*j.*) 1707 September 27; Trinity College, Dublin. Samuel Molyneux to the Rev. Mr William Derham, Rector of Upminster near Rumford, in Essex. On astronomical matters.

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(*k.*) 1707 November 27; Dublin. Samuel Molyneux to the Reverend Father in God the Lord Bishop of Clogher. Touching the affairs of the Dublin Philosophical Society, and beginning thus—"My Lord, The underserved honour y^e^ Philosophical Society of Dublin have lately done me in commending me to officiate as their Secretary I am never more sensible of than when it gives me power of addressing myself to such worthy persons as your Good Lordship."

(*l.*) 1707 November 29; Trinity College, Dublin. Samuel Molyneux to the Rev^d^ M^r^ John Keogh of Strokestown co. Roscommon. Touching "the Revival of the Philosophical Society of Dublin, who have lately honoured" the writer "with the office of their Secretary."

(*m.*) 1707 November 30; Clogher. The Bishop of Clogher to Samuel Molyneux. Touching the Dublin Philosophical Society, and beginning with these words, "Sir I doe very heartily congratulate you on your being chosen Secretary to the Philosophical Society. Your worthy Father was our first Secretary upon our Establishment, and you are so upon our Revival. May you still succeed to and inherit every one of your father's valuable good qualitys."

(*n.*) 1707 December 6; . . . . Samuel Molyneux to the Bishop of Clogher. Comprising the list of the recently elected Council and Officers of the Dublin Philosophical Society.

(*o.*) 1707 December 6; Trinity College, Dublin. Samuel Molyneux to "the Ingenious Dr. Hans Sloan, Secretary to the Royal Society." For the establishment of correspondence between the Royal Society of London and the Philosophical Society of Dublin.

(*p.*) 1707 December 6; Trinity College, Dublin. Samuel Molyneux to M^r^ Ansham Churchill," at y^e^ sign of y^e^ Black Swan in Pater Noster Row, London." Relating chiefly to books published or about to be published. "I fear," says the writer, "we cannot yet awhile hope to see the excellent M^r^ Lock's Letters in Print. It would be a great satisfaction to me to know what measures you have taken concerning 'em. But while this brings to my mind the late Death of the worthy D^r^ Burrige, I can't but with sincere sorrow condole with you and all the world on the loss they have lately sustained of so deserving a person. You will oblige me in sending me a late [ ] Book of Algebra called 'Arithmetica Universalis sive de Compositione et Resolutione Arithmetica Liber,' which goes under M^r^ Isaac Newton's name."

(*q.*) 1707 December 6; Trinity College, Dublin. Samuel Molyneux to his former Tutor, the Rev^d^ M^r^ Walter Alkins, Roxborough, near Youghal co. Cork. Touching the Philosophical Society.

(*r.*) 1707 December 22; Stokestown near Elphin. John Keogh to Samuel Molyneux. Communications for the Philosophical Society, including memoranda in respect to a giant's bones examined by M^r^ James Reynolds of Loughscurr co. Letrim, and the Ambergrise gathered by the natives at Broad Haven, Eris co. Mayo, "who make thereof candles for themselves not knowing the value of it."

(*s.*) 170$\frac{7}{8}$ January 29; Trinity College, Dublin. Samuel Molyneux to M^r^ Charles Norman at his house in Londonderry. Inviting communications to the Dublin Philosophical Society, and asking particularly for "an account of your Barnacles in the Lough of Derry, and particularly as to their being fat and good meat, and no where else in Ireland, proceeding as we are informed from their peculiar feeding on a Sweet Tasted kind of Grass growing in an Island in that Lough."

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(*t.*) 170$\frac{7}{8}$. February 13; Londonderry. M^{r} Charles Norman to Samuel Molyneux. In reply to the last described epistle. Touching the barnacles of the Lough of Derry, the writer says, "As to the account which you desire of our barnacles, all that I can be informed of them is, that they come in here in vast flocks about the beginning of September, and goe away I suppose to a colder climate about the middle of March. They are the shyest birds that can be when they are abroad, but no sooner are they taken, but they become as familiar as any Tame fowl whatsoever, and will feed and grow fat upon oats or any other food that is thrown to common Poultry. They are usually taken here by Netts in dark nights, sett in the places which they frequent. You are rightly informed that the reason why they are good meat here and not fit to be eaten in other places is from their feeding upon a certain kind of sweet grass; but it is the roots and not the stalks which they eat, of which according to your desire I send you some inclos'd. The same kind of grass is also in Lough Swilly in the county of Donnegall where the barnacles also are very good."

(*u.*) 170$\frac{7}{8}$ February 16; Antrim. M^{r} John M^{c}Lean to Samuel Molyneux. Touching an invitation for communications to the Dublin Philosophical Society.

(*v.*) 170$\frac{7}{8}$ February 19; Trinity College, Dublin. Samuel Molyneux to M^{r} John M^{c}Lean of Antrim. Touching communications to the Dublin Philosophical Society.

(*w.*) 170$\frac{7}{8}$ March 13; Trinity College, Dublin. Samuel Molyneux to M^{r} Francis Nevill at Dungannon. An invitation to M^{r} Nevill to communicate with the Dublin Philosophical Society.

(*x.*) 170$\frac{7}{8}$ March 13; Trinity College, Dublin. Samuel Molyneux to M^{r} Rotherick O'Flagherty at Park nigh Galloway. Inviting M^{r} O'Flagherty to correspond with the Dublin Philosophical Society, and making reference to his extremely interesting MS. Description of Gallway.

(*y.*) 170$\frac{7}{8}$ March 13; Trinity College, Dublin. Samuel Molyneux to the Rev^{d} John Keogh at Stroaks near Elphin. Soliciting communications to the Dublin Philosophical Society.

(*z.*) 170$\frac{7}{8}$ March 13; Trinity College, Dublin. Samuel Molyneux to M^{r} Walter Alkins at Roxborough near Youghall or Cork. Letter for the same purpose.

(*aa.*) 170$\frac{7}{8}$ March 13; Trinity College, Dublin. Samuel Molyneux to ——. Asking for communications to the Dublin Philosophical Society.

(*bb.*) 1708 April 5; Upminster. The Rev. William Derham to Samuel Molyneux. Touching M^{r} Flamsteed's Calculations in respect to Circumjovial Eclipses, the Migration of birds, experiments with the Air-Pump, and other matters of scientific interest.

(*cc.*) 1708 April 9; Park nigh Galway Westward. R. O'Flaherty to Samuel Molyneux. Declaring the writer's readiness to further the ends of the Dublin Philosophical Society, and concluding with petulant remarks on the unfriendly critics of the "Ogygia." In the earlier part of the long letter, the writer, speaking gratefully of his dear friends M^{r} Molyneux and D^{r} Loftus, the said M^{r} Molyneux's successor in the Court of Chancery, observes "your father was a means (perhaps not unknown to you) of the good Bishop of Meath's bounty to me, w^{ch} w^{d} prove more bountifull, had not he been prevented by Death at your father's house."

(*dd.*) 1708 April 10; . . . . Walter Alkins to Samuel Molyneux. Communications (of no moment) for the Philosophical Society.

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(*ee.*) 1708 April 11; London. A. Churchill to Samuel Molyneux. Making reference to the printing of "your collection of letters," and other matters of interest to the book-trade.

(*ff.*) 1708 April 20; Trinity College, Dublin. Samuel Molyneux to Walter Alkins. Touching Dr Harris's Lexicon Technicon, and containing observations on the migration of birds and other matters; with long postscript on the ways of finding the time for celebrating Easter.

(*gg.*) 1708 April 20; Trinity College, Dublin. Samuel Molyneux to Mr Rotherick O'Flagherty.

(*hh.*) 1708 April 25; Park, Westward of Gallway, St. Marks. R. O'Flaherty to Samuel Molyneux.

(*ii.*) 1708 May 4; Upminster. The Rev. William Derham to Samuel Molyneux. Having reference to astronomical observations.

(*jj.*) 1708 May 19; Park. R. O'Flaherty to Samuel Molyneux.

(*kk.*) 1708 June 8; . . . . Dr Hans Sloan to Samuel Molyneux. A communication that Dr Wall has demonstrated, to the satisfaction of the Royal Society, "that jet-black amber, gum-lacca or sealing-wax made of it, and diamonds, espetially table ones, when rub'd in the dark after sunsett, ye first 3 or 4 with flannell and the last with silk will emitt a considerable light."

(*ll.*) 1708 July 15; London. A. Churchill to Samuel Molyneux. Announcing that the collection of letters (*i.e.*, John Locke's and William Molyneux's letters) is at length published, and that eight copies of the work have been dispatched to Dublin,—two copies for Dr Molyneux, and the other six copies for the recipient of the letter.

(*mm.*) 1708 August 3: Trinity College, Dublin. Samuel Molyneux to the Rev. William Derham of Upminster. Long letter touching eclipses, atmospherical phenomena, migration of birds, and other matters. "As to the Migration of Birds," the writer observes, "I have not myself made any observations as yet, but I hope next Spring I may from my own or my friends' observations let you know something of the matter. I find among some notes of my Father the following observation to have been made by Coll. Solom. Richards, an inhabitant of Wexford, that it is most certain the Barnacles in the Harbour of Wexford from the 21 of August on which they come to the 21 of May on which they goe every year, are in numbers wonderfull, but on May the 21st they all leave it going northwards by sea and in the opinion of many curious observers they goe to the northern Isles of Scotland to breed, for on the 21st of August following they doe certainly and constantly return, bringing their young ones with them in numbers beyond expression. This relator, as he rode forward and backward between Dublin and Wexford, hath often seen them at sea, coming a day or two before their arrival as also going a day or two after their departure, and for above 20 years hath observed their not failing the time of going and coming, as also of their swimming when the Tide is with them, and flying when against them, and now and then resting on the water."

(*nn.*) 1708 August 15; . . . . Christopher Ussher to Samuel Molyneux. Memoranda for the Philosophical Society.

(*oo.*) ——. R. O'Flaherty to Samuel Molyneux. Entreating that Mr Molyneux will use his influence to procure for the writer's son-in-law (Mr Edward Tyrrill of Gallway, a protestant) the "place of a boatman in Her Majesty's boat in Gallway." No date.

(*pp.*) 1708 August 5; Trinity College, Dublin. Samuel Molyneux to Mr R. O'Flaherty. Reply to the last-described epistle.

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(*qq.*) 1708 August 5; Trinity College, Dublin. Samuel Molyneux to Mr A. Churchill. Respecting the publication of John Locke's letters. "The originalls," says the writer, "will come to my hands if you please to bundle and seal them up, directing for Mr Samuel Madden at Young Men's Coffee House in London who will bring them for Ireland to me."

(*rr.*) 1708 August 5; Trinity College, Dublin. Samuel Molyneux to —— [? Dr Hans Sloane). Touching Dr Wall's experiments for the production of light by friction.

(*ss.*) 1708 August 19; London. A. Churchill to Samuel Molyneux. Respecting the publication of Lock's Letters.

(*tt.*) 1708 August 20; Park. R. O'Flaherty to Samuel Molyneux.

(*uu.*) 1708 August 27; Portadown. Edward Chichester to Samuel Molyneux. Reminding Mr Molyneux of his promise to lend one of his father's books, "relating to the Priviledges of Ireland," to the writer.

(*vv.*) 1708 September 9; Trinity College, Dublin. Samuel Molyneux to ——, who is thanked for civilities offered to the writer's cousin, Dropping.

(*ww.*) 1708 September 10; Trinity College, Dublin. Samuel Molyneux to Sir Patrick Dunn "at his house on the Inns." Making reference to mathematical calculations and instruments.

(*xx.*) 1708 September 27; Park. R. O'Flaherty to Samuel Molyneux. Another letter in behalf of the writer's son-in-law, Mr Edward Tyrill.

(*yy.*) 1708 October 2; Park. The Same to the Same. Touching Mr Edward Tyrill's affairs.

(*zz.*) 1708 October 10; Park. The Same to the Same. "I writt you in relation to the quæries of the Dublin Society, that some time this year a star was seen as near the Compass of the Moon, as was to the wonder of many. . . . But this day a nephew of mine being at his Ant Madame Stafford's house at Karrow Barr in the County of Antrim at the same time saw a Resplendent Starr in the middle of the Moon, much wondered by the people. You read the Shining Star seen at noon in London on May 29th 1630, the Birth-day of King Char. the 2d."

(*aaa.*) 1708 November 30; Upminister. The Rev. William Derham to Samuel Molyneux. A long letter of astronomical observations; with a reference to Mr Molyneux's enquiries respecting "the pictures of the Greenwich Observatory."

(*bbb.*) 1708 December 17; Park. R. O'Flaherty to Samuel Molyneux. Making reference to modes of calculating the right time for the celebration of Easter. "I doe not," the writer observes, "offer this to carry coales to *New Market*,"—a curious slip for an Irish philosopher.

(*ccc.*) 1708 December 25; . . . . . Samuel Molyneux to R. O'Flaherty, who is asked for information respecting the money used by the Irish before the Conquest, if indeed they used any. I shall," says the writer in a postscript, "soon be better acquainted with the Ogygia and your Manuscript, having set about the reading them together this day."

(*ddd.*) 170$\frac{8}{9}$ January 2; Park. R. O'Flaherty to Samuel Molyneux. Long letter in reply to enquiry about the money of the ancient Irish.

(*eee.*) 170$\frac{8}{9}$ January 18; Trinity College, Dublin. Samuel Molyneux to Mr Tooke, book seller near Temple-Bar in Fleet Street, London. Offering notes, if they may be discovered, for the amendment of the

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advertised 2nd edition of his father's Treatise of Dioptricks, Mr Molyneux invites the bookseller to communicate with him.

(*fff.*) 170$\frac{8}{9}$ February 8; London. Benjamin Tooke to Samuel Molyneux. Announcing that the advertised second edition of the "Treatise of Dioptricks" is no genuine second edition of the work, but merely an effort to dispose of 200 "remainder copies," by offering them under a new title-page and with the diagrams printed on better paper, the bookseller says, "I had no expectation of making those" (*i.e.*, the 200 copies, wanting the "cuts," *in stock*) "perfect so soon, but the letters which were published some time agoe between Mr Molyneux and Mr Lock having several times mentioned the Book, it occasioned a fresh demand for them, which soon took away the few which I had perfect and printing all the cutts again for' em on much better Paper than the former, and this occasioned my calling it a Second Edition, and printing a new title to it, which has turn'd to so good an account that since the advertisement I have disposed of 25 of them which is more than I did in 2 years before."

(*ggg.*) 170$\frac{8}{9}$ February 17; Park. R. O'Flaherty to Samuel Molyneux.

(*hhh.*) 170$\frac{8}{9}$ March 8; Trinity College, Dublin. Samuel Molyneux to R. O'Flaherty. Touching Irish coins, and certain proposals for the publication of a work, at present in MS., by Mr O'Flaherty.

(*iii.*) 1709 April 2; Trinity College, Dublin. Samuel Molyneux to Rev. William Derham. "I beg the favour of you that you would be pleas'd to send me the Satellit Eclipses for 1709, if you have received them from Mr Flamsteed."

(*jjj.*) 1709 April 11; Killeglaw. Samuel Molyneux to Dr Molyneux. Familiar gossip about the writer's journey into Connaught, the aspect of the country, and matters of domestic interest.

(*kkk.*) 1709 April 12; Upminster. The Rev. William Derham to Samuel Molyneux. Scientific notes and intelligence.

(*lll.*) 1709 April 21; Dublin. Dr T. Molyneux to Samuel Molyneux. In acknowledgment of Samuel Molyneux's account of his Aunt Ussher's health, and his successful journey into Connaught.

(*mmm.*) 1709 August 1; Burton near Charleville. George Berkeley to Dr Molyneux. Containing notes on the Monastery of Buttefont and the Castle of Liscarol,—places recently visited by the writer. Dated from Burton near Charleville.—Also, three other letters (of some value for the personal historian) from George Berkeley to the same correspondent; dated respectively 26 November 1709, 8 December 1709, and 19 December 1709, from Trinity College, Dublin.

(6.) Copy in Book-form of the Testament (dated 18 August 1819), with Codicil, proved on 1 June 1721, of Dorothy Lady Capell, Baroness-dowager of Tewksbury, widow of Henry Lord Capell, Baron of Tewksbury: Containing bequests In Trust to the Honble Samuell Molyneux esq., Principall Secretary to his Royall Highness George, Prince of Wales, Sir Philip Jackson knt., John Lely esq. and Christopher Appleby gentleman, and bequests to the Right Honourable the Lady Elizabeth Molyneux, wife of the said Samuell Molyneux esq. and eldest daughter of the Rt. Hon. Algernon Earl of Essex deceased; With appointment of the aforesaid Samuell Molyneux to be one of the executors.

How these seven volumes came into the hands of the Corporation of Southampton is unknown; but it is reasonable hypothesis that they were

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left with the muniments of the borough by some Town Clerk, who acted as Attorney for M[r] Samuel Molyneux or some other member of the Molyneux family.

(*b.*) CHARTERS AND LETTERS PATENT.

(1.) 26 June, 1 John. Charter of King John to his Burgesses of Suhampton.—John &c. &c. Salutem. Volumus et firmiter precipimus et hac presenti carta confirmamus quod Burgenses nostri de Suhampton sint quieti de Theloneo et passagio et pontagio, Tam in terris quam in Aquis, Tam in feiris quam in Mercatis et de omni seculari consuetudine per omnes terras nostras, Citra mare et ultra, Et per omnem potestatem nostram, Et prohibemus ne quis eos super hoc disturbet, Aut injuriam vel molestiam aut gravamen faciat, super forisfacturam nostram in hiis que ad nostram pertinent potestatem. Hiis Testibus &c. &c. Datum per manum H. Cant. Archiepiscopi cancellarii nostri apud r[upem] Andel [iaci] &c. . . . .

(2.) 3 May, 11 Henry III. Charter of Henry Third's Grant of the farm of the town of Suhampton with the port of Portesmues to the Burgesses of Suhampton.—Henricus &c. &c. Salutem. Sciatis nos concessisse et presenti carta nostra confirmasse Burgensibus nostris de Suhampton villam de Suhampton ad firmam imperpetuum cum portu de Portesmues cum omnibus pertinenciis, libertatibus et liberis consuetudinibus suis et aliis omnibus que ad firmam predicte Ville de Suhamton pertinebant tempore Henrici avi nostri, Tenendam de nobis et heredibus nostris imperpetuum ad firmam, Reddendo inde annuatim ad festum Sancti Michaelis ad scaccarium nostrum Ducentas Libras sterlingorum, Quare volumus et firmiter precipimus quod predicti Burgenses habeant et teneant predictam villam cum predicto portu de Portesmues cum omnibus pertinenciis et libertatibus et liberis consuetudinibus ad illam firmam pertinentibus sicut predictum est, Sicut carta domini Johannis Regis patris nostri quam inde habent racionabiliter testatur. Hiis Testibus &c. &c. Datum per manum Venerabilis patris Radulphi Cycestrie Episcopi Cancellarii nostri apud Mortelak &c."

(3.) 15 June, 23 Henry III. Charter of Henry the Third in confirmation of an agreement between the Men of Merleberg and the Men of Suhampton.—Henricus &c. &c. Salutem, Sciatis quod cum contencio mota fuisset in Curia nostra coram nobis inter probos homines nostros de Merleberg querentes et probos homines nostros Suhampton' deforciantes de tellonio quod predicti homines Suhampton' capiebant de hominibus nostris de Merleberg contra libertates suas quas habent per cartam domini Johannis Regis patris nostri et per cartam nostram ut asserebant, tandem de licencia nostra taliter inter eos convenit quod omnes homines de Merleberg qui sunt in Gilda mercand'a de Merleberg et hoc affidare voluerint, quieti sint imperpetuum de omni consuetudine et omnimodo tellonio in villa Suhampton' et in omnibus pertinenciis suis de quibus homines Suhampton infra libertatem suam dictos homines de Merleberg acquietare possint, non obstante eo quod Carta nostrorum hominum Suhampton prior est cartis predictorum hominum de Merleberg, Et similiter homines de Suhampton quieti sint de omni consuetudine et tellonio in villa de Merleberg. Nos igitur volentes quod predicta convencio firma sit et stabilis imperpetuum, ipsam pro nobis concedimus et confirmamus. Hiis Testibus &c. &c. Datum per manum nostram apud Westmonasterium &c.

(4.) 14 May, 36 Henry III. Writ of Precept and Injunction from Henry the Third to the Barons of the Cinque Ports, for the

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observance of the liberties and rights of the men of Suhampton and Portesmuth in their port of Portesmuth.—Henricus &c. &c. Baronibus suis Quinque Portuum salutem, Ex querela proborum hominum nostrorum de Suhampton et de Portesmuth intelleximus quod eis estis graves et molesti vi capiendo karkas in navibus vestris de hominibus volentibus transfretare in portu suo de Portesmuth quem de nobis tenent ad firmam et faciendo atachiamenta sine licencia ballivorum eiusdem Portus et alias injurias eis inferendo contra libertates et consuetudines eorum usitatas et approbatas, Et ideo de vobis mandamus firmiter injungentes quod decetero nullam karkam in predicto portu suo capiatis aut atachiamenta faciatis, nullam eis injuriam inferentes contra libertates et consuetudines suas eis a nobis concessas super forisfacturam nostram, set permittatis emptores vinorum nostrorum venientes ex parte nostra una cum ballivis nostris de Suhampton et Portesmuth vina mercatorum in navibus vestris contenta in predicto Portu ad opus nostrum emere, Sicut quod si secus egeritis dissimulare non poterimus quin ad vos et bona vestra nos graviter capiamus. Teste me ipso apud Westmonasterium &c.

(5.) 14 July, 40 Henry III. Charter of Henry the Third, granting freedom from arrest of their persons and goods to the Burgesses of Suhampton for debts of which "fidejussores aut principales debitores non extiterint."—Henricus &c. &c. salutem, Sciatis nos concessisse et hac carta nostra confirmasse pro nobis et heredibus nostris Burgensibus nostris de Suhampton quod ipsi et heredes imperpetuum per totam terram et potestatem nostram habeant hanc libertatem, videlicet quod ipsi vel eorum bona quocunque locorum in potestate nostra inventa non arestentur pro aliquo debito de quo fidejussores aut principales debitores non extiterint, Nisi forte ipsi debitores de eorum sint communa et potestate habentes unde de debitis suis in toto vel in parte satisfacere possint, et dicti Burgenses creditoribus eorundem debitorum in justicia defuerint et de hoc racionabiliter constare possit. Quare &c. &c. Hiis testibus &c. &c. Datum per manum nostram apud Bristoll &c.

(6.) 4 April, 14 Edward III. Letters Patent of the Exemplification of the Charter of Inspeximus and Confirmation, dated at Westminster, by Edward the Third in the 1st year of his reign to the Burgesses of Suthampton. Teste me ipso apud Westmonasterium &c.

(7.) 10 February, 39 Edward III. Letters Patent of Exemplification of the Letters Patent, dated by Edward the Third on 28th June in the 29th year of his reign to the Burgesses of Suthampton, containing these words, "Nos considerantes villam predictam et partes adjacentes per clausuram dicte ville si perficiatur contra dicta pericula imminencia posse multipliciter assecurari, ac volentes securitati dicte ville et partium adjacencium providere prout decet concessimus eisdem Burgensibus in auxilium clausure ville predicte quod a die confeccionis presencium usque ad finem decem annorum proxime sequentium plenarie completorum capiant et colligant per manus illorum quos ad hoc deputare et pro quibus respondere voluerint de quibuscunque bonis et mercimoniis infra libertatem dicte ville adductis seu ab eadem eductis tam per terram quam per aquam tam videlicet ipsorum Burgensium quam aliorum quorumcunque unum denarium de libra et de decem solidis unum obolum et de quinque solidis unum quadrantem. Ita quod denarii inde provenientes . . . . . circa clausuram ville predicte ponantur." Teste meipso apud Westmonasterium &c.

(8.) 9 November, 5 Richard II. Letters Patent of a grant to John Slegh and his heirs for ever (in enlargement of a previous grant to the same John Slegh for life) of a tenement and certain pieces of vacant

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ground in the town of Suthampton; the said tenement and pieces of vacant ground having come by way of escheat into the King's hand, on the death of Richard Elmesle de Elmesle co. Worcester, who was a bastard and died "sine herede de se." Testo meipso apud Westmonasterium &c.

(9.) 5 November, 7 Richard II. Letters Patent of Inspeximus and Confirmation of Letters Patent of Inspeximus and Confirmation, dated on the 4th of April in the 14th year of his reign by Edward the Third to the Burgesses of the town of Suthampton. Teste meipso apud Westmonasterium &c.

(10.) 24 January, 9 Henry IV. Letters Patent of the Exemplification of the enrolment in the Exchequer of a certain writ directed by Richard the Second on the 12th of April in the 14th year of his reign to the Treasurer and Barons of the Exchequer, and of the certificate returned into Chancery by the same Treasurer and Barons in obedience to the same writ, which required them to certify "que et cujusmodi antique custume solute fuerunt pro qualibet lasta allecie picis butiminis" (? bituminis) "et cinerum et pro bordis vocatis Esterichebordis unacum nominibus mercatorum dictas mercandisas in regnum Anglie adducencium tempore domini Edwardi filii Regis Henrici quondam Regis Anglie progenitoris nostri et deinceps temporibus aliorum progenitorum nostrorum in portubus Suthampton Sandewyci et Wynchelse et qui et cujusmodi homines de hujusmodi custumis temporibus predictis quieti esse solebant."

(11.) 12 February, 2 Henry V. Letters Patent of a Grant of Licence to the Mayor and Burgesses of the town of Suthampton to purchase lands tenements and rents within the precinct of the said town, and to have and hold the same to them and their successors "in auxilium supportacionis onerum ville predicte incumbencium." Teste meipso apud Westmonasterium &c."

(12.) 13 February, 2 Henry V. Letters Patent of the Exemplification of the enrolment on the roll of the last parliament of the Petition (French) exhibited to the said King in the same parliament, for the diminution of the burdens put upon the burgesses of the town of Suthampton, and also of the enrolment of the King's Answer (French) to the said Petition; the Exemplification being in effect the Letters Patent of a Grant, remitting to the town for ten years 140 marks of the fee-farm of the town, with license to the Mayor and burgesses of the town to acquire and hold lands, &c. for ever, to the yearly value of 100*l*. Running in the following terms the petition gives a doleful picture of the town's impoverishment and distress:—"Au Roy notre tres souverain Seigneur, Item supplient humblement vos ditz Comunes que come lez Mair e Burgeises de votre ville de Suthampton teignent de vous tres gracious Seigneur la dite ville a fee ferme, Rendant ent annuelement a vous e a vos heirs cc livres ensemblement ovesque xl marcz as deux priours aliens en almoigne ordeignez par vos tresnobles progenitours et auxi ils ount autres tresgraundz charges et expenses nomement en quinzismes costages des parlementz taillages murages fossages gaites factz pour la sauf garde reparacion fortificacion et supportacion de mesme la ville de jour en autre, as quelles tresgraundes charges ensi aporters ils nount nulle manere rent profit ne secour sinon tantsoulement les petitz tolunz des marchaundises illeoqes renduz du quelle fee ferme la tresnoble dame Johanne la Roigne Dengleterre est a present endowe et la quelle fee ferme soleit et devoit estre leve des ditz tolunz des marchaundises venauntz et autres, petitz perquisitz provenauntz deinz la dite ville et ore tarde

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pour iij ans passez les marchauntz aliens qe soleient repairer ove lour marchaundises a votre dite ville ount estez et vngore sont sustretz parount les ditz Burgeises ount estez graundement taxes et issuit par plusiours foitz ount appromptes dautres gentz et paiez de lour propres biens au dite ferme cccc. li. pluis quils ne purroient ont lever ou coiller pur quelles costages taillages et tresgraundz charges feitz graunt partie dez Burgeises et enhabitantz sont departiz hors de dite ville et autre graund partie de eux a present est en purpos a departier de dite ville dein brief temps en desolacion dicelle ville qe dieu defend si vous tresgracious Seigneur ne pluis mettez votre tresgracious socour et eyde damender cest graund mischief en celle partie, Par quoy plese a votre hauteste de votre grace especiale sicome vous estez soveraign fountaigne de secour a toutz embosoignauntz dordaigner solone votre treshaut discrecion par avis de votre tres-sage conseill socourable et gracious remedie en reconciliacion et comfort dez ditz Burgeises et enhabitauntz et supportacion de votre dicte ville &c." Part of the reply to this prayer runs in these terms, "Le Roy . . . . voet et graunte del assent des Sieurs espirituelx et temporelx et des Comunes esteantz en cest parlement qe a la tresreverente Dame Johanne Roigne Dengleterre qe ad ensi a luy assignee en partie de sa dower la fee ferme du dicte ville qe amounte par an a cc. li. soit fait tiele requeste qele face mitigacion et reles a les Mair et Burgeys de la dicte ville et a lour successours de cxl. marcz chescun an durantz x ans proscheins avenir, Issint qils soient de mesmes les cxl. marcz par an mesme le terme durant quitez et deschargez envers mesme la Roigne et envers autres qeconqes en relevacion et mainteignance de mesme la ville, Et sil aveigne qe la dicte tresreverente dame ne porra a ces consentir qadonqes le Roy del assent des Seigneurs et Comunes avaunt diz prendra maintenant toute la suisdicte fee ferme en sa main demesne pur toutdys pur les causes et perils avauntditz, Fesant a la dicte dame la Royne recompense celle partie et auxi fesant as Mair et Burgeys de la dicte ville pur le temps esteantz allowance et acquietance annuelmen' de les cxl. marcz suisditz pur le terme de x. ans avauntditz."—Teste meipso apud Westmonasterium &c.

(13.) 10 April, 3 Henry V. Letters Patent of Exemplification of enrolments on the Rolls of the Exchequer touching the accounts of the town of Suthampton from 7 Henry II. to 1 Henry IV.

(14.) 19 April, 1 Henry VI. Letters Patent of Exemplification of the Charter (dated by Henry the Fifth at Suthampton on the 1st of August in the 3rd year of his reign) of Inspeximus and Confirmation of the Charter of Powers, Franchises and Privileges, dated at Westminster by Henry the Fourth, on the 4th of January in the 14th year of his reign, in favour of his Consort, Queen Joan (of Navarre).

(15.) 24 October, 4 Henry VI. Letters Patent of Inspeximus and Confirmation of Charters of divers concessions dated by previous sovereigns to the Burgesses of Suthampton, the three earliest of the said charters being the three charters, dated respectively by Henry II. at Winchester, Richard I. at Warwick on 28th September in the first year of his reign, and John at Auriual on 29 June in his first year; the said Charter of Henry II. granting that his men of Hampton may have and hold their Guild and all their liberties and customs both by land and sea, freely, peacefully, and honourably, even as they held them freely, &c., in the time of his grandfather, King Henry: the charter of Richard I. running in these words:—"Ricardus dei gracia &c. &c. salutem, Volumus et firmiter precipimus et hac presenti carta confirmavimus quod Burgenses nostri de Sudhanton sint quieti de thelonio et passagio et pontagio tam in

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terris quam in aquis tam in feriis quam in mercatis et de omni seculari consuetudine et per omnes terras nostras citra mare et ultra et per omnem potestatem nostram, Et prohibemus ne quis eos super hoc disturbet aut injuriam vel molestiam aut gravamen faciat super forisfacturam nostram in hiis que ad nostram pertinent potestatem, Testibus &c. &c.—Teste meipso apud Westmonasterium, xxviij. die Septembris anno primo regni nostri": and the Inspeximus of charter, dated by King John to the Burgesses of Suthampton on the third day after the date of the Charter by the same king already described in this catalogue, running thus:—" Inspeximus eciam cartam quam bone memorie dominus Johannes quondam Rex Anglie proavus noster fecit prefatis Burgensibus de Suthampton in hec verba,—Johannes dei gracia &c. &c., salutem. Sciatis nos concessisse et presenti carta confirmasse Burgensibus nostris de Suthampton villam de Suthampton ad firmam imperpetuum cum portu de Portesmues cum omnibus pertinenciis libertatibus et liberis consuetudinibus suis et aliis omnibus que ad firmam dicte ville de Suthampton pertinebant tempore Henrici Regis patris nostri tenend' de nobis et nostris heredibus imperpetuum ad firmam, Reddendo inde annuatim ad festum Sancti Michaelis ad Scaccarium nostrum ducentas libras sterlingorum, Quare volumus et firmiter precipimus quod predicti Burgenses habeant et teneant predictam villam cum predicto portu de Portesmues cum omnibus pertinenciis et libertatibus et liberis consuetudinibus ad illam firmam pertinentibus sicut predictum est. Testibus &c. &c. Datum &c. &c. apud Auriuall' xxix. die Junii regni nostri anno primo."—Also, a duplicate of the same Letters Patent of Inspeximus and Confirmation.

(16.) 8 January, 11 Henry VI. Precept directed by the King to the Sheriff of the Town of Suthampton, for the due Proclamation within his Bailiwick of certain Statutes made in the last parliament at Westminster, for the ordering of Weights and Measures, Labourers, and Artificers, and for the punishment of players of unlawful games.—Teste meipso apud Westmonasterium &c.

(17). 19 July, 11 Henry VI. Letters Patent of the licence to the Mayor and community of Southampton and to William Gefferey Heremite to hold Trinity Fair at and about Trinity Chapel near the said town.—Henricus &c. &c. salutem. Sciatis nos propter devocionem quam gerimus ad Sanctam et gloriosam virginem dei matrem ac propter amorem quem habemus et a diu habuimus ad villam nostram de Southampton considerantes quod ex confluencia subditorum nostrorum et aliorum extraneorum dicta Villa in bonis magis ac magis indies prosperari et relevari poterit, Et ut Major in futurum populi confluencia ibidem fieri valeat ex gracia nostra speciali ac ex mero motu nostro concessisse dilectis nobis in Christo Maiori Aldermannis Vicecomitibus Ballivis Burgensibus et Communitati dicte Ville Southampton ac eorum Successoribus, necnon Willelmo Gefferey Heremite Capelle Sancte Trinitatis et Beate Marie predicte Nundinas sive feriam apud et circa Capellam Sancte et individue Trinitatis predicte juxta dictam Villam Southampton, annuatim tenend[am] in festo Sancte Trinitatis suprascripte et per tres dies immediate post festum illud sequentes in qua quidem Capella dicta gloriosa virgo a Christi fidelibus sepe numero honeratur (*sic*), Habendum et tendendum dictas Nundinas sive feriam cum liberis ingressu et egressu subditis nostris de et ad Nundinas sive feriam predictam mercandum venientibus prefatis Maiori Aldermannis Vicecomitibus Ballivis Burgensibus et Communitati ville antedicte et eorum successoribus ville ipsius necnon Willelmo Gefferey Heremite in dicto festo et tribus diebus ut premittitur tenend'

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quamdiu nobis placuerit absque aliquo computo inde reddendo. In cujus rei &c. &c. Teste me ipso apud Westmonasterium &c.

(18.) 10 June, 15 Henry VI. Letters Patent of a General Pardon (with certain peculiar and special clauses) to William Nicolle of Suthampton, merchant.—Teste me ipso apud Westmonasterium &c.

(19.) 29 July, 23 Henry VI. Letters Patent of Concessions to the Mayor, Bailiffs and Burgesses of Suthampton, made in consideration of the burdens and impoverishment of the town, and in consideration of the divers serious reasons why measures should be taken for relieving its distress and ensuring prosperity to the same town: Comprising with other matters the following concessions:—(1.) That the town shall be a perpetual corporation consisting of a mayor, two bailiffs, and the burgesses; (2) That the mayor, bailiffs and burgesses of the said town shall be known for ever by the name of the Mayor bailiffs and burgesses of Southampton; (3) That the same Mayor bailiffs and burgesses and their successors shall be persons empowered to sue and defend themselves in all pleas, &c. of every kind in the courts of the king and his successors; (4) That the said Mayor bailiffs and their successors be persons "habiles et capaces in lege ad perquirend' terras tenementa redditus servicia et possessiones infra villam suburb' et precinctum predicta et alibi habendum et tenendum sibi et successoribus suis imperpetuum statuto de terris et tenementis ad manum mortuam non ponendis aut aliqua alia ordinacione vel statuto ante hec tempora edito non obstante"; (5) That the said Mayor bailiffs and burgesses within the same town on Friday next before the feast of St. Matthew the Apostle shall have power to elect, for the good government of the same town, a mayor and two bailiffs to hold office during the ensuing year, and in case of the death or deposition of the mayor or one or both of the bailiffs during his or their year or years of office to elect from themselves a person or persons to fill the place or places for the remainder of the year of the person or persons, so removed by death or deposed; (6) That the Mayor for the time being of the said town shall henceforth be the Escheator of the King and his successors within the town and its liberties during his year of office, with all the powers pertaining to the office of an Escheator; (7) That the Mayor of the said town and his successors for ever shall henceforth within the said town its suburbs and liberties be the Clerk of the Market of the Household of the king and his successors, with all the powers pertaining to a Clerk of the Market for the King's household; (8) That henceforth no merchant being a foreigner of Suthampton shall have power within the said town to buy of or sell to any merchant, being also a merchant not free of the said town, any merchandises whatsoever; (9) That the said town shall be henceforth and for ever "una stapula tam ad recogniciones debitorum in eadem stapula juxta formam Statuti Stapule in eadem stapula accipiendas, quam ad omnia alia ad hujusmodi stapulam pertinencia ibidem facienda et exercenda," and that on Friday before the feast of St. Matthew the Apostle in each year, the said Burgesses and their successors for ever shall have power to elect from amongst themselves a person to be Mayor, and two persons to be Constables of the said staple for the ensuing year; (10) That on Friday next before the feast of St. Matthew the Apostle the said Mayor bailiffs and burgesses and their successors for ever shall have power in each year to elect for official service during the ensuing year "tam omnimodos brocatores mercandisarum bigarum et batellorum quam omnimodos portatores paccatores et cariatores omnimodarum marcandisarum ad villam et portus predict' applicancium; and (11) That

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henceforth the said Mayor bailiffs and burgesses and their successors for ever shall have all the goods and chattels of all persons inhabiting within their said town, being outlaws or attainted persons.—Datum per manum nostram apud Westmonasterium &c.

(20.) 20 June, 24 Henry VI. Letters Patent of a General Pardon to Richard Thomas of Suthampton co. Suthampton, merchant, and to his wife Juliana, formerly the wife of William Nicoll late Mayor of the said town of Suthampton (executors of the will of the said William Nicoll).—Teste meipso apud Westmonasterium &c.

(21.) 9 March, 25 Henry VI. Letters Patent of Concessions to the Mayor bailiffs and burgesses of the town of Suthampton: Granting, with other matters, (1) That the said town, together with the port and precinct of the same and the port of Portesmouth, which are now called the town of Suthampton and precinct thereof, "sint unus integer Comitatus corporatus in re ac nomine ac distinctus et separatus a comitatu Suthampton imperpetuum" and be henceforth styled "The County of the Town of Suthampton;" (2) That the Mayor bailiffs and burgesses shall be empowered to yearly elect, in accordance with the directions contained in the letters, from amongst themselves a fit and suitable burgess, to hold office for the year as sheriff of the said town, with all the powers pertaining to the office of a sheriff within the said county of the said town; (3) and That "nullus Senescallus Marescallus nec clericus mercati hospicii nostri nec aliquis Admirallus neque aliquis Eschaetor nec aliquis alius seu aliqui alii quicunque Officiarii nostri &c. &c. &c. ingrediatur seu ingrediantur predictam Villam Suthampton nec portum ejusdem neque portum de Portesmouth nec precinctum eorundem. . . . . neque per terram neque per aquam ad aliquam sessionem sive inquisicionem ibidem faciendam nec ad aliqua officia sua seu officium alicujus eorundem concernencia ibidem facienda, exercenda sive exequenda."—Datum per manum nostram apud Westmonasterium &c.

(22.) 12 September, 30 Henry VI.—Letters Patent of Concessions to the Mayor bailiffs and burgesses of the town of Suthampton, differing in no important particular from the concessions heretofore made to them in the same reign.—Datum per manum nostram apud Westmonasterium &c.

(23.) 16 December, 1 Edward IV.—Charter of Inspeximus and Confirmation of charters of concessions made by previous sovereigns to the Burgesses of Suthampton, beginning with Letters Patent of Inspeximus and Confirmation dated by Richard the Second, confirming (together with other charters) the charter of Henry the Second running in these words, "Precipio quod homines mei de Hampton habeant et teneant gildam suam et omnes libertates et consuetudines suas in terra et in mari ita bene et in pace et juste et libere et quiete et honorifice sicut habuerunt melius et liberius et quietius tempore Regis Henrici avi mei et nullus eis super hoc ullam injuriam vel contumeliam faciat. Testibus Ricardo de Humet constabulario, Joc' de Bailiolo. Apud Winton': With further concessions, whereby (with other things) it is granted, That the Mayor Bailiffs and burgesses of Suthampton henceforth and for ever shall have cognizance of all pleas whatsoever within the said town and the liberty and precinct thereof arising in the king's courts ("in quibuscunque curiis nostris, videlicet &c. &c."), and in reiteration of certain of the concessions of Henry VI., That the same Mayor bailiffs and burgesses shall also have henceforth and for ever "assisam assaiam emendacionem et correccionem panis vini cervisie et omnimodorum aliorum victualium ac mensurarum ponderum et aliorum

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quorumcunque ad officium Clerici Mercati Hospicii nostri et heredum nostrorum pertinencium sive spectantium infra Villam libertatem et precinctum, &c. &c. &c. Ita quod nullus Clericus Mercati hospicii nostri vel heredum nostrorum nec Admirallus noster vel heredum nostrorum vel ejus locum tenens Commissarii Officiarii vel deputati nec Senescallus sive Marescallus hospicii nostri seu heredum nostrorum seu eorum servientes nec eorum aliquis villam libertatem et precinctum predictum per terram seu per aquam exnunc ad aliquod ad hujusmodi officium suum seu eorum alicujus ibidem pertinet seu pertinere poterit faciendum exercendum seu exequendum ingrediatur quovis modo."—Datum per manum nostram apud Westmonasterium &c.

(24.) 8 March, 2 Edward IV.—Letters Patent of a General Pardon (with special provisions) to John Donne, Mayor, sheriff, bailiff and escheator of the town of Suthampton. — Teste me ipso apud Westmonasterium &c.

(25.) 14 May, 6 Edward IV.—Letters Patent of the Exemplification of the Record, amongst the Records of the Court of Exchequer, of the proceedings in the said court for the recovery to the Mayor and Burgesses of Suthampton of the goods and chattels formerly pertaining to a certain outlaw, namely, John Estfeld of Suthampton merchant, from Walter Fetiplace, a former Mayor of the said town.

(26.) 12 June, 8 Edward IV.—Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated by Henry the Sixth at Westminster on the 29th of July in the 23rd year of his reign, to the Mayor bailiffs and burgesses of Suthampton.—Teste me ipso apud Westmonasterium &c.

(27.) 5 June, 12 Edward IV.—Letters Patent of a General Pardon to John Burbrigge *alias* John Purbryk, Gabriel Hawles, and Antony Clement "nuper collectoribus prime quinte-decime et decime duarum quintarum-decimarum et decimarum . . . . in villa Southampton," and to Walter Fetplace and Alice formerly the wife of John James, "executoribus testamenti predicti Johannis James unius collectorum prime quinte-decime et decime predictarum."—Teste me ipso apud Westmonasterium &c.

(28.) 1 July, 17 Edward IV. Letters Patent of Licence to the Mayor sheriff bailiffs and burgesses of the town of Suthampton to export twenty sacks of wool, free of customs.—Teste me ipso apud Westmonasterium &c.

(29.) 20 August, 20 Edward IV. Charter of the Grant to the Mayor bailiffs and burgesses of Suthampton for ever of all fines "pro licencia concordandi," amercements, forfeitures, goods and chattels of outlaws and felons, &c., &c., to be levied or gathered within the said town. The charter being dated in confirmation of a previous grant of the same fines and amercements, &c., &c. made to the same grantees by Letters Patent dated by the same king on the 16th day of December in the first year of his reign, in terms of insufficient precision, clearness, and efficacy.—Per manum nostram apud Westmonasterium &c.

(30.) 1 June, 1 Richard III. Letters Patent of a General Pardon to John Walker, Mayor of the town of Suthampton, and Sheriff and Bailiff of the same town.—Teste me ipso apud Westmonasterium &c.

(31.) 14 July, 2 Richard III.—Letters Patent of a General Pardon to Vincent Tehy of the town of Suthampton merchant, *alias* Vincent Tehy late Sheriff of the said town, *alias* Vincent Tehy "nuper uni collectorum de prima quintadecima et decima duarum quintarum decimarum domini

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Edwardi quarti nuper Regis Anglie," *alias* Vincent Tehy "nuper de Kynges Clere in comitatu Suthampton chapman."—Teste me ipso apud Westmonasterium &c.

(32.) 10 December, 2 Richard III. Letters Patent of Inspeximus and Confirmation of the Charter of Inspeximus and Confirmation, with further concessions, dated by Edward the Fourth to the Mayor bailiffs and burgesses of Southampton on the 16th day of December of the 1st year of his reign: With Inspeximus and Confirmation of the Charter dated by the same King Edward the Fourth on the 20th day of August in the 20th year of his reign to the Mayor bailiffs and burgesses of the same town.—Teste me ipso apud Westmonasterium &c.

(33.) 7 October, 2 Henry VII. Letters Patent of Exemplification of the particulars of the account of John Frost and Nicholas Sampson, collectors of the customs of the port of Suthampton, from Michaelmas 15 Edward IV. to Michaelmas of the following year.

(34.) 12 November, 23 Henry VII. Letters Patent of Exemplification of the Record at Westminster of the proceedings before the Justices "de Banco" in Hilary Term of 22 Henry VII., when John Rogers and others of Lemyngton were summoned to answer the Mayor bailiffs and community of the town of Suthampton, in respect to Petty Customs.

(35.) 2 October, 2 Henry VIII. Letters Patent of Inspeximus and Confirmation of the Letters Patent of Inspeximus and Confirmation, of Charters and Letters Patent of concessions made to the Burgesses of Suthampton by previous sovereigns, dated by Henry the Seventh to the Mayor bailiffs and burgesses of the said town on the 8th day of November in the 4th year of his reign.—Teste me ipso apud Westmonasterium &c.

(36.) 7 February, 2 Henry VIII. Letters Patent of Licence to the Mayor bailiffs and burgesses of the town of Suthampton, to export one hundred sacks of wool, free of customs.—Teste me ipso apud Westmonasterium &c.

(37.) 7 February, 6 Henry VIII. Letters Patent of Inspeximus and Confirmation, of the Letters Patent dated by Edward the Fourth on the 12th day of June in the 8th year of his reign, of Inspeximus and Confirmation of the Charter of Concessions, described in a previous entry of this catalogue, dated by Henry the Sixth to the Mayor bailiffs and burgesses of the town of Suthampton, on the 29th day of July in the 23rd of his reign.—Teste me ipso apud Westmonasterium &c.

(38.) 14 July, 14 Henry VIII. Letters Patent of a Commission of Array, addressed to the Mayor and Justices of the town of Southampton, and to William Sandys and Arthur Plantagenet knts., and to Richard Lister, William Pawlet and James Bettys, and to the Sheriff of the said town. Teste me ipso apud Westmonasterium &c.

(39.) 21 April, 7 Edward VI.—Letters Patent of the Commission, addressed to the Mayor of Southampton, Francis Flemyng, knt., Thomas Pacye, Thomas Mylle, Robert Reyneger, and Thomas Godard, to take order for and deal with church goods belonging to "any churche chapelle guilde brotherhed fraternytie or companye within the town of Southampton." Witnes ourselfe, at Windesore, &c.

(40.) 27 April, 7 Edward VI. Letters Patent of Inspeximus and Exemplification of a record entered in the records of the Exchequer in the Michaelmas Term of the 6th year of Edward the Sixth,—*Certifying* amongst other things that the said King, by his Letters Patent (dated on the 6th of April in the 6th year of his reign, and set forth at large in

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the present record) of Inspeximus and Confirmation of Charters and Letters Patent dated by previous sovereigns (concluding with the Charter dated by Henry the Eighth, of the Inspeximus and Confirmation of the Charter of Inspeximus and Confirmation dated by Henry the Seventh), together with other Concessions, granted that the Mayor bailiffs and burgesses of Southampton should have the said town to themselves and their successors at the antient yearly rent of 200*l.* to be paid yearly at the Feast of St. Michael "cum parva custuma aliquo anno ibidem ad summam ducentarum librarum attinget aut cum alique naves vocate Careckes de Jene aut cum alique naves vocate Galeys de Venece ad portum ville predicte cum mercandisis suis quoquo anno venient ibidemque discarcabunt et eskippabunt seu recarcabunt," and at a yearly rent of 50*l.* only and no more "cum parva custuma in villa predicta ad dictam summam ducentarum librarum non attinget, et dicte naves vocate Careckes de Jene et dicte naves vocate Galeys de Venece ad portum predictum non venient;" and *Certifying* that the sum of the petty customs accruing from the said port of Southampton from Michaelmas 5 Edward VI. to Michaelmas 6 Edward VI. amounted only to 53*l.* 17*s.* 2*d.* which sum had been paid into the Exchequer, and that within the same town, from Michaelmas 5 Edward VI. to Michaelmas 6 Edward VI. "nulle naves Jane vocate Carreckes of Jeane aut naves de Venecia vocate le Galeys of Venece, se disoneraverunt de ullis mercimoniis in portu Suthampton nec quod ulle naves ut antea dictum est se oneraverunt aut reportaverunt ullas merces transportandas a predicto portu Suthampton;" and further *Certifying* that, in accordance with the prayer of the Mayor, bailiffs and burgesses of the said town, and after reference to Edward Gryffyn esq. the king's Attorney General, and with his consent, the Barons of the Exchequer decreed that the said Mayor bailiffs and burgesses and their successors and all future sheriffs of the said town were exonerated from the payment of the 150*l.*, parcel of the 200*l.* of the fee-farm of the said town for the said year, in respect to which they prayed for an acquittance, and should moreover for the future be exonerated from the payment of the like sum of 150*l.*, parcel of the said fee, in any such future year, in which the petty customs of their port should not amount to 200*l.*, and in which no ships called Carreckes de Jeane and no ships called Galeys de Venece should come to the said port to discharge cargo or take cargo on board.—Teste predilecto consanguineo et Consiliario nostro Willelmo Marchione Wintonie Thesaurario nostro Anglie apud Westmonasterium, &c.

(41.) 9 August, 1 and 2 Philip and Mary. Letters Patent of the grant to the Mayor bailiffs and burgesses of Southampton and their successors "quod omnia vina malvatica anglice dicta Malveseis que a festo Michaelis proxime sequente a partibus transmarinis in hoc regnum nostrum Anglie transportata fuerint in nulla parte regni nostri Anglie ad terram deponentur nisi apud Villam et Portum predict'; . . . . proviso tamen quod si que navis vel vas dictis vinis onust' naufragium fecerit Gubernator navis vel vasis quocunque loco voluerit . . . . possit aliquo premissorum non obstante." With further Grant to the same Mayor bailiffs and burgesses and their successors "quod a dicto festo Sancti Michaelis ompes lane que portabuntur extra hoc regnum versus partes de levent predictas prius ad Villam et Portum de Southampton predict' quam mare trancientur (*sic* in the present Letters, but spelt otherwise, viz., "traicierentur" in the recital of the same document in Letters Patent of 4 and 5 Philip and Mary, described in the next entry of this catalogue), neque in alio portu sive loco infra hoc regnum nostrum Anglie imponantur navi sive vase

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versus predictas partes de levent transportand, quam in dicto Portu nostro Suthampton . . . . . sub pena solvendi nobis heredibus et successoribus nostris triplicem custumam pro eisdem lanis."—Testibus nobis ipsis apud Castrum nostrum Wyndesore, &c.

(42.) 18 June, 4 and 5 Philip and Mary. Letters Patent *reciting* the words of the previous Letters Patent to the Mayor bailiffs and burgesses of Southampton, touching Malvoisie *alias* Malmsey wines imported from parts beyond sea into the kingdom of England and wools exported therefrom to the parts of the Levant, dated at Windsor on 9 August of the year 1 and 2 of the said King and Queen, and *renewing* the concessions of those letters. With further grant of power to the same mayor bailiffs and burgesses, to search for wines, as well in the port of London as in other ports, imported into England in disregard of the said grants; and with further provisions touching penalties for infringing the rights accorded by the aforesaid Letters Patent. By the clause setting forth the new power of searching for wines imported in disobedience of the Letters Patent, it is granted to the said Mayor bailiffs and burgesses "quod bene licebit eis et successoribus et assignatis suis vel eorum deputato sive deputatis de tempore in tempus omnia et omnimoda vina que per aliquam navem vel vasem (*sic*) sive aliquas naves vel vasas (*sic*) sive in aliqua nave vel vasa (*sic*) vel aliquibus navibus vel vasis imposterum ab aliqua parte Insule de Candie in partibus de levent et de cressencia ejusdem insule ad portum nostrum London sive ad aliquos alios portus nostros infra hoc regnum nostrum Anglie transportabuntur ad terram deponenda et vendicioni exponenda modis quibuscunque gustare et assaiare tam infra huiusmodi naves vel vasas sic onustas quam super terram cum extra dictas naves vel vasas deponantur ea intencione ut vera noticia generum omnium et singulorum vinorum sic in huiusmodi navibus vel vasis onustis habeantur (*sic*) pro vera solucione custume et penalitatis eorundem." In the statement of the considerations moving their Majesties to make these concessions to the burgesses reference is made in the following words to Philip's first arrival in this country:—"Ac eciam in consideracione perpetue memorie quod nos prefatus Rex in primo adventu nostro infra hoc regnum Anglie applicavimus ad predictam villam Southampton.—Testibus nobis ipsis apud Westmonasterium &c.

(43.) 12 March, 1 Elizabeth.—Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated by Philip and Mary in the 4th and 5th year of their reigns, of the Sweet Wines (Malveseis) and Wools Grant to the Mayor bailiffs and burgesses of Southampton.—Teste me ips' apud Westmonasterium &c.

(44.) 28 June, 5 Elizabeth.—Letters Patent of Exemplification of Inspeximus of a certain Writ de cerciorando directed to Francis Spelman esq. Clerk of Her Majesty's Parliaments, and dated on 23 June in the aforesaid 5th year of Her Majesty's reign with Inspeximus of the tenor of certain Act of Parliament, returned into Chancery in accordance with the aforesaid writ, and running in the following words:—"In parliamento apud Westmonasterium tento xii. die Januarii anno &c. domine nostre Elizabethe dei gracia, &c. &c. fuit sequens peticio, videlicet, 'For the vnladyng of Malmesyes and other Swete Wynes at the Towne of Southampton.' In most humble wise sheweth your most Excellent Majesty the Mayor Bayliffes and Burgeses of your graces Towne and Porte of Southampton, That Wheare the said towne ys[an aunchyent borough and towne scituate upon the sea syde over against the coaste of Normandy and unto Whiche towne alle merchaunt straungers of long tyme weare accustomed to make their common accesse and repayre with alle their shippes and

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other vessels laden with malmeseys and other Swete Wynes of the groweth of Candye and Rotymoes and in any other place withyn the partyes of levant beyond the streightes of Marrocke, whiche hathe ben transported or broughte by them into this realme, and have discharged and unladen the said Wynes at the said towne and porte of Southampton and at none other place withyn this realme, By reason whereof and duringe alle whiche tyme the said Mayor Bayliffes and Burgesses and alle thinhabytauntes of the saide Towne then beyng Weare well hable not only to paye yearelie unto your most noble progenitours for the tyme beyng a greate fee ferme of the said towne, but also weare hable to maynteyne upholde and repayre at their only costes and chardges the Walles Seabankes and ditches aboute the same towne, and to have in a readynes for defence against the forreyne enemyes great plenty of armor weapons ordenaunce shott powder and other artillory and thinges nedefull, And althoughe the said merchaunt strangers weare ever well used and entretid at the said towne and porte of Southampton, yet nevertheles they of late yeares sekyng to lande the said Wynes at dyvers other places and Creekes withyn this relme did for the moste parte departe from the saide porte of Southampton, and dayly landed their said Wynes at dyvers other Crekes and places Where they myghte best do the same, without paying the iust custom and subsidy due for the saide Wynes, By reason whereof your said Supplyantes aswell for the redresse therof as also for the relyf of the said towne and porte and thinhabytauntes of the same did make their complaynt and humble petycion to your Maiestes most dere Syster the late Quene Mary, Who graciously hearyng and considerynge their humble petycions and sute for the redres of alle the premisses, did by her most gracious letters patentes under the greate seale of Englande graunte unto your said orators by the name of the Maior Bayliffes and Burgesses of the said towne of Southampton and to their successors amongest other thynges that alle manner of Malmesyses and other swete wynes growing in the Ilandes of Candy and Rotymo withyn the parties of levant beyond the sea or in eny parte of the levant aforesaide whiche from the feaste of Saynt John Baptest next followyng the date of the saide letters patentes shold be transported from the parties beyond the sea into this realme of Englande sholde in no parte of the saide realme of Englande be put to lande but onlye at the saide porte and towne of Southampton. And further the saide late Quene Mary by her said lettres patentes did prohybytt every merchaunt denyzon and straunger that they nor any of them shold dischardge the saide wynes in any other porte or place of this realme then only in the said towne and porte of Southampton upon payne of forfeiture to the said late Quene her heyres and successors for every butt of the saide wynes, that shold be putt on land contrary to the saide graunte, twenty shillynges of lawfull money of England over and above the subsidy and custom of the same Wynes before that tyme due and accustomed to be paide, And that thone moyty of the said forfeiture should be unto the saide late Quene her heyres and successors and thother moyty therof unto the said Mayor Bayliffes and Burgesses and their successors from tyme to tyme, Whensoever the same shold happen as by the same letters patentes more playnly it doth and may appeare; And forasmoche as somme ambyguytes doubtes and questions have growen upon the said graunte, and Whether the same be good in lawe to chardge the saide straungers with suche penaltes as be theryn conteynid or not, Therefore the said graunt made by the said late Quene to the said late Mayor Bayliffes and Burgesses hathe not hitherto taken suche effecte as by the same was well meant and intendid, and therefore the said straungers that do dayly bryng the same wynes into this relme very contemptuously

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and against the purporte and effecte of the said graunte do lande their said Wynes at divers rodes and creekes withyn this realme, Wheare they think good them selfes and for the most parte Wheare they may best deceyve Your Highnes of the Custom and Subsydye due for the same, By reason Whereof Your Maiesty dothe not only susteyne greate loss and hynderans, But also your said towne and porte of Southampton is therby like to falle in great ruyn and decaye, Therefore may it please Your Highnes with thassente and consente of the Lordes Sprituall and temporall and the Commons in this present parliament assemblid and by aucthorytie of the same, that it maye be enacted, That alle Wynes called Malmesies and other swete wynes of the growthe of Candye and Rotymo aforesaide in the said partes of levant beyond the streightes of Marrock or any other place withyn the parties of levant aforesaide whiche from the firste daye of Auguste next comyng shalbe brought into this realme by any merchaunt straungers whatsover shall be landen and discharged at the said towne and porte of Southampton and at none other place withyn this relme of England or Wales upon payne of forfeiture of twenty shyllinges of lawfull money of Englande for every butt of the said Wynes that shalbe otherwise or at any other place landen within this realme of Englande or Wales over and besides the subsydy and customs that shalbe due to be payd for the same, and thone moytie of the said forfeiture may be unto your highnes your heyres and successors, and thother moytie therof to the said Mayor Bayliffes and Burgesses and their successors, and that the said Mayor Bayliffes and Burgesses may aske demaunde and sewe for the same by accion of debt bylle playnte or informacioun in any Court of recorde, In whiche sute no essoign protection or wager of lawe shalbe allowed or admitted for the party defendaunt, Provided alwayes and be it further enacted by thaucthorytie aforesaid that it shalle and may be lawfull to and for every naturall borne subiecte of this realme whiche shalle transporte or brynge in any Englyshe shippe vessell or bottom any of the said Wynes called Malmesyes or eny other swete Wynes of the growth of Candy or Rotymo aforesaid or of any other place withyn the parties of levante, or from the said parties of levant into this relme to lande and dischardge the same at any porte or haven within this relme at their willes and pleasures in suche like manner and forme as they sholde or might have done, if this acte never had [been] nor made, any thing conteynid in this acte or in the saide letters patentes to the contrary notwithstanding, Provided also and be it further enacted by thauctoryty aforesaide that from the makyng of this acte it shalbe lawfull for every Burges and inhabitor of the said towne of Southampton and also for every Englyshe Merchaunt dwellyng in any citie or towne within this realme of England to buy any of the said Swete Wynes at the said Towne of Southampton at their willes and pleasures and the same to retayle or otherwise to selle agayne, any acte or statute heretofore made to the contrary in any wise notwithstandinge, this acte to contyneue to thende of the nexte parliamente.—Nos Autem tenorem actus parliamenti predicti ad requisicionem dilectorum nobis Maioris Ballivorum et Burgensium ville Southampton predicte duximus exemplificandum per presentes. In cujus rei &c., &c. Teste me ips' apud Westmonasterium &c.

(45.) 19 November, 12 Elizabeth. Letters Patent of a Commission to Rowlande Haywarde and William Allen, aldermen of London, and to John Cooke and William Staveley, aldermen of Suthampton, To enquire and take order respecting four ships laden with Malveseys and other Sweete Wynes, whose owners, according to information received

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by Her Majesty, have discharged or intend to discharge the said wines at the port of London, in contravention of the Act of Parliament of 5 Elizabeth, enacting that "alle Wynes called Malveseys and other Swete Wynes of the grouthe of Candy and Rotymo in the parties of levant beyonde the streightes of Marrock or in any other place within the parties of levante whiche from the first daie of Auguste then next ensuyng shoulde be broughte into this Realme by any Merchauntes and Straungers whatsoever shoulde be landed and discharged at the towne and porte of Southampton and at none other place within this Realme of England or Wales."

(46.) 25 June, 13 Elizabeth. Letters Patent of Exemplification of a certain writ "de cercioraudo" directed on 21 June of Her Majesty's said 13th year to Francis Spelman, clerk of Her Majesty's Parliaments; Together with Exemplification of the tenor of a certain Act of Parliament (made on the 2nd day of last April) returned into Chancery by the said Francis Spelman in accordance with the said writ. After setting forth the purport of the previous Act of Parliament, touching the importation of Malvesey and other Sweete Wines from the Levant into England, made in the 5th year of Her Majesty's reign, the Act here exemplified provides and ordains "that the said acte" of her Majesty's 5th year "and every article clause and thinge therein conteyned shalle stande be remayne and contynewe in fulle force and effect to alle intentes construccions and purposes forever and dulie be putt in execucion accordinge to the true intent and meaninge thereof, for the better relieff and maintenaunce of the saide Porte and Towne of Southampton, Provided alwnies &c. that alle forfeictures and paymentes coming to the Towne of Southampton at alle tymes from henceforth by vertue of this Acte be imployed only upon the mayntenaunce of the Walles and defence of the said Towne, Wherof a sure booke to be kepte and therein inrolled and ingrossed aswelle alle suche sommes of money as come to the same by reason of this acte from tyme to tyme, as also howe and in what places and to whom it was expended and paide for the mayntenaunce of the Walles and defence of the said Towne."—Teste. me ips' apud Westmonasterium &c.

(47.) 12 May, 25 Elizabeth. Letters Patent of a Commission of Oyer and Terminer and Gaol Delivery, addressed to Edward earl of Lincoln the Lord High Admiral, Henry earl of Pembroke, the Mayor for the time being of the town of Southampton, Henry Radcliffe knt., George Carye knt., John Penruddocke esq., recorder of the said town, and eleven others, nine of them being aldermen of the said town.—Teste me ips' apud Westmonasterium &c.

(48.) 4 September, 1598 [40 Elizabeth]. Letters of a Commission of Reprisals, dated by the Lord High Admiral, Earl of Nottingham and Baron of Effingham knt., to Lawrence Prouse gentleman, To set forth the seas the ship called The Welcome and therewith seize the ships and merchandises of the King of Spain and of any of the said King's subjects. Dated at London in Her Majestes High Courte of Admiraltie &c.

(49.) 22 January, 42 Elizabeth. Letters Patent of a Licence to the Mayor bailiffs and burgesses of the town of Suthampton and their successors to keep and hold yearly for ever three several fairs: one of the said fairs to be held on the Shrove Sunday and two following days, another of the said fairs to be held on St. Mark's day and the two following days, and the third of the said fairs to be held "in die Martis post festum Sancti Andree Apostoli," and the two following days, of each

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year for ever, "unacum Curia Pedis Pulverizati ibidem tempore earundem feriarum et nundinarum et earum cujuslibet."—Teste me ips' apud Westmonasterium &c.

(50.) 24 July, 5 James I. Letters Patent of Exemplification of a certain writ directed on the 8th day of July in the said 5th year of His Majesty's reign to Sir Thomas Smith knt., Clerk of His said Majesty's Parliaments, Together with Exemplification of the tenor, returned into Chancery in accordance with the said writ's requirements, of a certain Act of Parliament entitled "An Act for the Confirmacion of some parte of a Charter graunted by Kinge Henry the Sixt to the Maior Bailiffes and Burgesses of the Towne of Southampton and for the releife of the said Towne," and made in the 4th year of His aforesaid Majesty's reign, To restrain persons not being free of the said town from buying any merchandises (salt and sea fish only excepted) of, and selling any merchandise (salt and sea fish only excepted) to any person or persons within the said town, not being free of the same.—Teste me ips' apud Westmonasterium &c.

(51.) 6 February, 6 James I. Letters Patent of the grants, whereby the King granted to the Mayor bailiffs and burgesses of Southampton and their successors for ever "alle and everye those the same suche and soe many our Tonnes and other porcions of prisage wynes to be yerelie and from tyme to tyme had and taken out of alle and everye the prise wynes comynge or growinge in the saide Towne of Southampton or in the porte of the same Towne, which were heretofore graunted or payable or used to bee payd or delivered by anie of our Progenitors or predecessors kinges of this our Realme of Englande or by our or theire Butlers of England or any other our or theire Officers or by anie other parsoune or parsounes bodyes pollitique or corporate whatsoever for us or them or anie of them yerelye or every yere unto anye late Abbottes and Coventes of the late severall Monasteries or Abbies of Bowlye Letley" (*sic*) "Tichfeild and Waverley or anie of them or to anye late Prior and Covent of the late Priorys of Saint Dennis, And which Tonnes and other porcions of prisage Wynes were late parcell of the severall possessions of the said severall Monasteries Abbies and Prioryes and came or ought to have come unto us or some of our progenitors or predecessors by reason of the severall dissolucions of the same Monasteries Abbies and Prioryes and are nowe in our handes and possession."—Witnes Our Selfe at Westmynster &c.

(52.) 15 June, 14 James. Letters Patent of Inspeximus and Confirmation, of the Letters Patent, dated by Queen Elizabeth on the 6th day of May in the 6th year of her reign, of Inspeximus and Confirmation of the Letters Patent, dated by Philip and Mary, of Inspeximus and Confirmation of Letters Patent, dated Edward the Sixth, of Inspeximus and Confirmation of Letters Patent, dated by Henry the Eighth, of Inspeximus and Confirmation of Letters Patent, dated Henry the Seventh, of Inspeximus and Confirmation of Letters Patent, dated by Edward the Fourth, for the confirmation of concessions made by previous sovereigns to the burgesses of Southampton.—Teste me ipso apud Westmonasterium &c.

(53.) March 11, Charles I. Letters Patent of a Commission of Oyer and Terminer and Gaol Delivery for the Town and County of Southampton, directed to the Lord High Admiral, and to Lord Keeper Coventry, John Marquis of Winchester, Thomas Earl of Southampton, William Earl of Hertford, Sir Henry Marten knt. Judge of the Admiralty Court, the Mayor of Southampton for the time being, Robert Mason Doctor of Laws and Judge of the Admiralty Court

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in the county of Southampton and the Isle of Wight, Thomas Levington esq. Recorder of the Town of Southampton and to John Guillam, George Gallopp, Edward Exton, Nicholas Pescod, John Clangeon, Nathaniel Mille, Peter Scale, Thomas Mason and Peter Clangeon of the same town alderman.—Teste me ipso apud Westmonasterium &c.

(54.) 27 June, 16 Charles I. Letters Patent dated by Charles the First to the Mayor baliffs and burgesses of the town of Southampton and their successors for ever, for the reconstitution of the said town, with confirmation and more precise declaration of the powers and franchises granted to the same town by previous sovereigns.—Teste me ipso apud Westmonasterium &c.

(55.) 19 February, 14 Charles II. Letters Patent of a Commission to the Mayor of Southampton for the time being, William Legg, esq., Richard Ford knt., Richard Goddard, Thomas Knowles, Laurence Hyde, Arthur Bold, Roger Gollop, Thomas Mill, and Edward Hooper of Chilworth, esquires, Thomas Corderoy, Edward Exton, Peter Clungeon (*sic*), Henry Pitt, William Stanley, James Caplin, William Horne, Joseph Delamote, Thomas Cornelius, James Clungeon (*sic*), Nicholas Clement, and Edward Downe aldermen of the aforesaid town, and Robert Richbell gentleman; To execute within the said town and county thereof the Act of Parliament "For the well governing and regulatinge of Corporacions."

(56.) 15 September, 4 James II. Letters Patent of Reconstitution and Reincorporation of the Mayor bailiffs and burgesses of Southampton and their successors for ever into a free town and county; With appointment of Richard White esq. to be the first Mayor, of Thomas Cooper esq. to be the first Recorder, of Robert Vernon to be the first Sheriff; of Richard White aforesaid, William Brackstone, Richard Hunt, Adam de Cardinall, William Lyne, Robert Vernon aforesaid, Robert Culliford, Cornelius Macham, John Thornburgh, William Cropp, William Joliffe and John Lee to be the first Aldermen; of Jonathan Ingles and Thomas Barnard to be the first Bailiffs; of the aforesaid Jonathan Ingles, the aforesaid Thomas Barnard, ... Piccard, Leonard Cropp, Thomas Bracebridge, John Gilbert, Thomas Bower, John Fassett, James Flower, Edward Fryer, John Greenwood, and William Stokes to be the first Common Councillors; and of William Pocock to be the first Common Clerk, of the said town by virtue of the same Letters Patent :— With dispensation to the afore-appointed Mayor, Recorder, Aldermen, Bailiffs, Common Councillors, &c. &c. from the necessity of taking the Oath of Supremacy mentioned in a certain Statute of 1 Elizabeth, and the Oath of Allegiance and Obedience mentioned in a certain Statute of 3 James I., and of the Oaths mentioned in a certain Statute of 13 Charles II. entitled "An Act for the well governing and regulating of Corporacions," and from the necessity of taking the Sacrament of the Lord's Supper according to the rite and use of the Anglican Church, and also of taking and subscribing the Declarations mentioned in the aforesaid Statute 13 Charles II. or in a certain Statute of the same last-mentioned King's 25th year, entitled "An Act for preventing Dangers which may happen from Popish Recusants," &c., &c., &c.: It being also provided, amongst other things, "quod nullus Recordator vel Communis Clericus ville predicte imposterum eligendus vel perficiendus ad execucionem officii sui respective admittatur nisi Approbatio et consensus noster heredum vel successorum nostrorum sub Sigillo vel Signeto Manuali nostro heredum vel sucessorum nostrorum in ea parte prius Significabitur."—Teste me ipso apud Westmonasterium &c.

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(57.) 6 William IV. Letters Patent of the Grant that "A Separate Court of Quarter Sessions of the Peace" shall continue to be holden in and for the Borough of Southampton.—Also, Letters Patent of a Commission of the Peace to the Mayor for the time being and others of the Borough of Southampton.

(58.) 1 Victoria. Letters Patent of a Commission of the Peace to the Mayor for the time being and others of the Borough of Southampton.

(59.) 20 Victoria. Letters Patent of a Commission of the Peace to the mayor for the time being and others of the Borough of Southampton.

(c.) *Deeds, Municipal and Private:—Including Unconditional Grants in Perpetuity, Grants in Fee Farm, Writings of Release and Quit Claim, Indentures of Agreement, Acknowledgments, Bonds, and other Instruments.*

— Henry III. Deed of gift and conveyance for ever, by William Gor to Adam le Hordyer of Suthampton, burgess, of a piece of vacant ground in English Street in the parish of St. Laurence of the said town of Suthampton. Sealed with the donor's seal and also, for greater security, with the seal "prepositure ville Suthampton," and witnessed by Thomas le Blund and Robert le Mercier, then bailiffs of the said town, and by Henry le Flameng, Nicholas de Barfleut, Robert Bonheit, Geoffery de la Pusc, Thomas de Andeuer, Walter le Hordier, Ralph the Little, Nicholas Gese, Richard Tebaud, John Hug', Robert Hug', John Elyot and others.

— 30 Edward I. Indenture (French) of a lease for a year of the Farm of the town of Suthampton by Peter de Lyons, Robert le Barber, John de la Barre, Richard de Bareflut, John de Montdenarde, John le Flameng, Rauf Bissoup, Edmond Cole, Thomas le Gardenyer, William Bykelonde, Symon de Shirlye, William atte Nywelonde, Imberd Stangman, Roberd le Border, Thommas Dykeman, Robert le Barber, William le Wyte, Robord de la Stone, William de Bottelye, Richard Bagge, Henry Burgeys, James de Andeuere and all the community of the town of Suthampton, to Roberd le Mercyer, Thomas Stout, John de Shirlye, John de Borgoyne, Adam le Horder, John le Molcnyr, John le Dulbere, and Henry de Lym.

— Edward I. Deed of sale and conveyance for ever by the executors of the will of William Seylde deceased, late burgess of the town of Suthampton, of a messuage with appurtenances in English Street of the said town, to John de Weston and his wife Agnes and their son John.

— Edward I. Deed of gift and conveyance for ever, of a "petrinum cum uno celario et pertinenciis suis" and divers rents in the town of Suthampton, by Henry Brian, Thomas Brian, Constance Brian, Matildis Brian, and Agnes Brian to Adam le Hordier of Suthampton and Joan (the sister of the said Constance, Matildis and Agnes) and the heirs of their bodies.

— Edward I. Deed of the gift in fee-farm, at a yearly rent of ten shillings for ever, of a tenement with a curtilage and a shop in English Street in the town of Suthampton, by Robert le Barkyer to Roger de Basinges of the said town burgess.

— Edward I. (?). Deed of release and quit-claim, in respect to a tenement in English Street in the town of Suthampton, by Richard le Barbour to John de Weston of the said town burgess.

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— Edward I. Deed of gift in fee-farm for ever, at a yearly rent of a silver farthing, of a certain half-acre of land (with the exception of a certain eighth thereof), in the suburb of the town of Suthampton, by Roysia Geldenyshe, widow and executrix of the late John Horn, to Adam le Hordyer of the said town, burgess.

— Edward I. Deed of gift and conveyance for ever of divers lands, tenements, and rents in the town of Suthampton, by Margery, daughter and heir of Nicholas Simon deceased, to Lucy Sampson, sometime wife of Hugh Sampson, formerly of Suthampton, burgess.

— Edward I. Deed of gift and conveyance for ever of a house in Boule Strete in town of Suthampton, by Richerius Tresaut and his wife Juliana to Thomas, son of Thomas de Andeuere.

— Edward I. Deed of gift in fee-farm, of a certain garden and a rent in English Street in the town of Suthampton, by Geoffrey de Peisa clerk to Adam le Hordier of the said town, burgess.

— Edward I. Deed of gift and conveyance for ever of tenements in French Street in the town of Suthampton, by Henry le Lung of the said town, burgess, to John de Burgoyne and his wife Cecilia.

— Edward I. Deed of gift and conveyance for ever of a house in French Street in the town of Suthampton, and of three acres of arable land in the suburb of the same town, by Joan la Flemeng widow to Peter de Rue.

— Edward I. Deed of gift and conveyance for ever, by Thomas le Halueknyzt (son and coheir of Thomas le Halueknyzt formerly of Suthampton, burgess, and his wife Cristina) of all his share of the tenement called "La Westhalle" in the said town, to John de Schirlye of the said town, burgess, and his wife Felicia; the said share of La Westhalle being described in the deed in these terms "videlicet, petrinum cum celario subjacente et quandam cameram que vocatur la Oriole que est supra portam predicti tenementi in vico Francisco, una cum quodam stabulo infra dictam portam retro dictum petrinum et celario adjacente que omnia predicta mihi acciderunt jure hereditario." Witnessed by Adam le Hordyr then alderman of the town of Suthamptone, William Fogul, and Robert Le Hordyr, then bailiffs of the said town, and Robert le Mercyr, Thomas Stut, John de Puteo, Henry de Lym, John de Montdenard, Richard de Barflut, William Bassingrom the elder, Thomas Dykeman, Roger le Blouces, and Richard English, then clerk of the Town of Suthamptone.

— Edward I. Indenture of the agreement, made between John Le Halueknyzt, Thomas le Halueknyzt, William Bassingrom and his wife Petronilla, Roger le Halueknyzt, and Walter le Halueknyzt (the coheirs of Thomas le Halueknyzt and his wife Cristina), for division of and participation in the tenement and its appurtenances called La Westhalle in the town of Suthampton, lying in the parish of the church of St. John the Baptist of the said town. Witnessed by Adam le Hordyr then alderman, William Foghel then bailiff, and Robert le Hordyr the customer of the town of Suthampton, and by John de Schirlye, Thomas Stut, Richard de Bareflet, Henry de Lym and many others.

18 December, 5 Edward II. Deed of gift and conveyance for ever of a tenement in Symenelestrete in the town of Suthampton, by Alice formerly the wife of Richard Ballestare, deceased, and Agnes daughter and heir of the said Richard, to Philipp Suel of the said town burgess.

— 10 Edward II. Deed of release and quitclaim, in respect to a tenement in Symenelestrete in the town of Suthampton, by Alice

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MSS. OF THE TOWN OF SOUTHAMPTON.

formerly the wife of Richard le Arblastir and by Agnes la Arblastir daughter of the same Alice, to Richard Bagge of the said town burgess.

— 10 Edward II. Deed of release and quitclaim, in respect to a messuage in the town of Suthampton, by John le Haluenyght, son and coheir of Thomas le Halueknyght formerly of the said town burgers, to Richard Bagge burgess of Suthampton.

— 10 Edward II. Deed of release and quitclaim, in respect to a tenement in Simenelestrete in the town of Suthampton, by Richard Hongles and his wife Alice, to Thomas Frost of the same town burgess.

— 10 Edward II. Deed of sale and conveyance of a tenement in Symenelestrete in the town of Suthampton, by Thomas Frost to Richard Bagge of the said town.

— 10 Edward II. Deed of gift and conveyance of a tenement in Symenelestrete in the town of Suthampton, by Richard Bagge of the said town burgess, to Richard Sweye of the said town burgess.

— 10 Edward II. Deed of gift and conveyance of a tenement in Symenelestrete in the town of Suthampton, by Thomas Frost of the said town burgess, to Richard Bagge of the same town burgess.

— 10 Edward II. Deed of release and quitclaim, in respect to a tenement in Simenelestrete in the town of Suthampton, by Agnes daughter of Richard le Arblastir late of the said town deceased, to Richard Bagge of the said town burgess.

— 10 Edward II. to 1 Edward III. Portion of a Roll of the Receivers of Acknowledgments of Debts within the town of Suthampton.

— 11 Edward II. Deed of gift by Isabella, daughter and heir of Roger de Bassinges deceased, of a certain tenement with appurtenances in the town of Suthampton, to Reymund Arnald "de Monte Ansario," to hold for his security, till he shall be satisfied in respect to the articles of an agreement made (with the consent of the said Isabella) between Robert Tromfletes and his wife Isabella (mother of the aforementioned Isabella) of the one part and the said Reymund of the other part.

— 11 Edward II. Lease for six years of a tenement in English Street in the town of Suthampton, by Robert de Tromfletes and his wife Isabella, to Reymund Arnald of Monte-Ansar, of the said town burgess.

14 March, 11 Edward II. Deed of gift and conveyance for ever of a tenement in English Street in the town of Suthampton, by Petronilla Dykeman formerly the wife of Nicholas de Barefluet, to Mathew Gentylcors clerk.

— 12 Edward II. Deed of gift and conveyance for ever of a tenement in English Street in the town of Suthampton, by Mathew Gentilcorps to Petronilla formerly the wife of Nicholas de Barefluet and to John Petyngar.

— 14 Edward II. Deed of release and quitclaim, in respect to a tenement with appurtenances in English Street, by Richard le Sceytare son of Richard le Sceytare of Romasye to John Aurey of Suthampton.

— 15 Edward II. Deed of gift and conveyance for ever, of a tenement with appurtenances in Simenelestrete in the town of Suthampton, by John Wodham burgess of the said town, to Reginald Martin of the same town burgess.

— 17 Edward II. Deed of gift and conveyance of a tenement in English Street in the town of Suthampton by Richard Tholouse, son

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of Henry de Tholouse the elder of Broncleye, to John Forest of Suthampton burgess.

— 17 Edward II. Deed of release and quitclaim, in respect to a piece of vacant ground in French Street in the town of Suthampton, by John Bevereche of the said town to Hugh Sampson of the same town, burgess.

— 19 Edward II. Deed of release and quitclaim, in respect to two tenements in the town of Suthampton, by Symon Botenylayn of the said town burgess and his wife Felicia, to Hugh Sampsson of the same town burgess.

24 July, 20 Edward II. Indenture (French) of an agreement, made between John le Long, Hugh le Long and Anneys Fyslekes sister of the aforesaid John and Hugh (sons and daughter of Henry le Longes deceased, formerly burgess of the town of Suthampton), for division of and participation in the tenements, formerly pertaining in Suthampton to their said father, Henry le Longes. Also a duplicate of the same indenture.

— Edward II. Deed of release and quitclaim, in respect to two shops, with appurtenances and a yearly rent of ten shillings in English Street in the town of Suthampton, by Isabella daughter and heir of Roger de Bassinges formerly of the said town burgess, to Reymund Arnald of Monte Ansar burgess of the same town.

— Edward II. Deed of gift and conveyance of a tenement in Symenelestrete in the town of Suthampton, by John Bondborn of the said town burgess to Nicholas Sampsson burgess of the same town.

— Edward II. Deed of gift and conveyance of a piece of land in French Street in the town of Suthampton, by John Beuereche and William Dykeman of the said town burgesses, to Hugh Sampsson burgess of the same town.

— Edward II. Deed of gift and conveyance for ever of a yearly rent of ten shillings out of a tenement in the fish market of the town of Suthampton, by Caterine la Hordyr, daughter and coheir of Adam le Hordyr the elder late of Suthampton deceased, to Thomas de Nosschoolyng of the same town burgess.

— Edward II. Deed of gift and conveyance for ever of a tenement in Symenel Street in the town of Suthampton, by Philipp Suel of the said town burgess, to Thomas le Skynnere called Vorstes burgess of the same town.

— Edward II. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Isabella daughter and heir of Roger de Bassynges formerly of the said town, to her mother Isabella formerly the wife of the said Roger.

— Edward II. Bond of William Bassingrom of the town of Suthampton burgess, for warranty to John Schirlye and his wife Felicia, of a certain "celarium" in the same town, given to the said John and Felicia by the aforesaid William and his wife Petronilla.

— Easter, 1327 A.D. Deed of gift and conveyance of a tenement in French Street in the town of Suthampton, by Hugh Sampson of the said town burgess, to John de Doone called Shauennyr of the said town burgess and his wife Cristina.

— 3 Edward III. Certificate that John de Vyenna, the King's clerk for acknowledgements of debts to be received in the town of Suthampton, has received "quoddam transcriptum statutum domini Regis in hec verba &c. &c."

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— 3 Edward III. Indenture of an agreement between the Mayor and Community of the city of New Sarum of the one part and the Mayor and Community of the town of Suthampton of the other part: for the determination of controversies respecting tolls and customs. —Also a duplicate of the same indenture of an agreement for the determination of controversy and difference respecting tolls and customs, and for a settlement of the dues, henceforth to be paid on merchandize by the citizens and inhabitants of New Sarum, to the Mayor and community of the town of Suthampton.

— 3 Edward III. Deed of gift and conveyance for ever of a capital tenement in English Street in the town of Suthampton, by Nicholas de Bareflitt, son of Nicholas de Bareflitt the elder deceased, to Nicholas de Moundenard of the said town burgess.

— 4 Edward III. Deed of gift and conveyance for ever of divers tenements &c. &c. in the town of Suthampton, by John le Spicer of New Sarum and his wife Alicia, to Andrew Daune of Winchester chaplain.

— 4 Edward III. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Isabella daughter and heir of Roger de Bassinges formerly of Suthampton burgess deceased, to Robert de Barre of the said town burgess.

— 4 Edward III. Deed of gift and conveyance of a tenement with appurtenances in English Street in the town of Suthampton, by John de Weston, son of John de Weston formerly of the said town burgess, to John de Warb of the same town burgess, and his wife Cristina.

— 5 Edward III. Deed of gift and conveyance for ever, of a tenement in English Street in the Town of Suthampton, and of two houses in a suburb of the same town by Juliana Coppe to Thomas Palmere called "Le Taverner," of the same town burgess.

— 6 Edward III. Indenture of an agreement, made between Joan le Grauntes, daughter of Richard le Grauntes, of the one part, and John Attestone of the town of Suthampton burgess of the other part, respecting a certain rent.

6 July, 7 Edward III. Deed of assignment of nine unexpired years of a lease of a tenement in Suthampton, by John de Watlyngton to William le Smale.

6 July, 7 Edward III. Letters of attorney, for livery of seisin, by Mathew Gentilcorps to Roger atte Legh.

— 7 Edward III. Deed of gift and quitclaim, in respect to a piece of vacant ground in the town of Suthampton, by John de Weston to John Segyn of the said town burgess.

6 July, 7 Edward III. Deed of gift and conveyance of a tenement in English Street in the town of Suthampton, by Matthew Gentilcorps to William le Smale and his wife Isabella.

6 July, 7 Edward III. Deed of sale of his reversionary interest in a tenement in English Street in the town of Suthampton, by Mathew Gentilcorps to William le Smale and his wife Isabella.

6 July, 7 Edward III. Deed of sale and conveyance for ever, of a tenement in English Street in the town of Suthampton, by Mathew Gentilcorps to William le Smale of the said town burgess and his wife Isabella.

— 9 Edward III. Deed of gift and conveyance for ever of a tenement in English street in the town of Suthampton, by William le

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Smale and his wife Isabella to John de Barflutt of the said town burgess and his wife Joan.

30 August, 9 Edward III. Deed of gift and conveyance for ever of certain tenements in the town of Suthampton, by Richard de Kingeston (rector of the church of St. Cross of Suthampton) to Nicholas Sampson and his wife Isabella.

— 10 Edward III. Deed of quitclaim for nine years, in respect to a certain rent of nine shillings, by Stephen Lambard of Suthampton burgess and his wife Alice, to Robert de Portesmuth smith and his wife Alice and their son John.

6 February, 11 Edward III.—Deed of Mutual Release, between the Mayor and community of Winchester on the one part and the Mayor and community of Suthampton on the other part, for the determination of controversy.

— 13 Edward III. Letters of Attorney, for livery of seisin, by John de Weston of Suthampton burgess to Richard le Ryder of the same town.

13 July, 13 Edward III. Indenture of agreement between Edward the Black Prince of the one part and Thomas Beauchamp, Earl of Warrewyk of the other part.—" Ceste endenture faite perentre le noble et puissant seigneur Sire Edward eisnez filz au noble roi Dengleterre dues de Cornewaille Coumte de Cestre et Gardein Dengleterre dune part, et le noble home Monsieur Thomas de Beauchamp Coumt de Warrewyk dautre, tesmoigne qe le dit Coumt est demeure sur la garde de la ville de Suthampton come gardein de meisme la ville, a mettre le bien qil pourra pour la sauve garde dycelle du lundy prochein apres la feste de Seint Jake prochein apres la date de ceste jusqes a la fin dun quarter del an prochein ensuant plenerement accompli et auera le dit Coumte ovesque lui sur meisme la garde Cent homes darmes de queux il auera de ses gentz propres cynkante homes darmes lui meisme Coumt, un Baneret et dis Chivalers purvuant pour lui meisme et ses dites gentz darmes les gages Le Roi de de guerre accoustumez et auera aussi ovesqe lui sur meisme la garde Cent et vint Archers des queux le dit Coumt auera de ses soens propres guarante, checun de eux purvuant le jour trois deniers des queles gages aussbien des gentz darmes come des Archers il serra . . . . et paie pour un moys devant la meyn, et ensi de moys en moys devant la meyn, durant le terme susdit, et auera aussint le dit Coumt une commission sous le graunt seal notre Seigneur le Roi de surveoir les gentz darmes et Archers le Priour del Hospital et les gentz darmes de Berks et autres qe seront en aide de la garde de la dite ville et de les punir quele heure qe defaulte y soit trove, et aussint de destreyndre les gentz qe soievent estre enhabitez en meisme la ville et qe se sount mayntenant retretz de retournir et de y demeurer enforcement selontz lour estat, et en cas qils ne le voillent pas faire de seisir lour maisons rentes et autres possessions et touts lour biens et chateux deinz la ville en la meyn notre dit Seigneur le Roi, et aussi seront cynkant livres dargent ordinez et paiez en amendement de la dite ville et toute manere de garnesture des engins, espringals, arks, arbelastes, targes, launces et toute manere dautres engins demeuront en la dite ville pour la sauve garde dycelle et per endenteure, Et en cas qe les covenantz dusditz ne soient pas tenuz ne accompliz au dit Coumt, ou qe les enemys arrivent en Engleterre et demoererent a entencion de conquere par aillours il lirra bien a lui a departir de la dite ville ovesqes ses gentz susditz saunz reproeche et saunz etre enpesche par notre Seigneur

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le Roi ou nul de son conseil pour celle enchaison, En tesmoignance de queux chose, les parties susdites ount a cest endenture entrechaungeablement mys lour seals. Don a Kenyngton le xiij jour de Juyl Lan du regne le Roi Edward tierz apres le conquest treysime."

Also this roll:

Nomina Militum hominum ad arma et sagittariorum in Comitia Thome de Bello Campo Comitis Warrewyk super salvam custodiam ville Suhampton. A xxv^to^ Julii anno xiij vsque xxv. diem Augusti proxime sequentem per xxxij dies, utroque die computato.

Idem Comes
Thomas de Astleye, Bannettus
Johannes de Lysours
Nicholaus Pecche
Nicholaus de Charneles
Nicholaus de Burneby
Johannes de Botiller
Johannes de Lenkenore
Johannes Golafre
} Milites.

Nomina Armigerorum.

Robertus le Zousche.
Johannes le Despenser.
Henricus le Mortymer.
Willelmus de Hardeshulle.
Johannes Haunsard.
Willelmus de Shobyndone.
Radulphus Basset.
Willelmus de Lucy.
Walterus le Blount.
Fulco de Holcote.
Thomas Folyot.
Johannes de Harle.
Nicholaus Gascoun.
Thomas de Henle.
Rogerus de Ledbury.
Ricardus de Perytone.
Ricardus Chamberleyn.
Adam le Trompour.
Thomas le Trompour.
Walterus le Ken.
Gilbertus Chastiloun.
Stephanus de Dupham.
Ricardus de Redynges.
Hugo de Bromwyche.
Robertus de Stretfeld.
Ricardus de Hanford.
Roger de Kenynton.
Bertreamus de Wyme.
Willelmus Ryuel.
Nicholaus de Egebaston.
Johannes de Esenhall.
Oliuerus de Brompton.
Thomas de Burneby.
Johannes Scot.
Johannes Burdet.
Willelmus Carles.

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Johannes de Milton.
Radulphus Pecche.
Johannes de Verdon.
Johannes de Norden.
Johannes Moreuille.
Petrus de Wasseburne.

By the side of this list on the same skin appears a similar list setting forth the "Nomina Saggittariorum."

Beneath these two lists appear :—

Perticule computi Thome de Bello Campo Comitis Warrewyk de receptis et vadiis ipsius Comitis hominum suorum ad arma et sagittariorum in Comitia ejusdem Comitis super salva et secura custodia ville Suhampton super convencionem inter Ducem Cornubie tunc Custodem Anglie et dictum Comitem per Indenturam inter eos confectam existentem et ad dictam villam Suhampton commorantem, videlicet a xxv. die Julii anno xiii., scilicet die dominica in festo Sancti Jacobi vsque xxv. diem Augusti proxime sequentem per xxxii. dies, primo et ultimo die computato.

Also, on another membrane (preserved in the same frame and under the same glass as the indenture and the already given schedule of names) the "Rotulus Nicholai atte Magdelene nuper Receptoris denariorum et victualium domini Regis apud Suhampton et Supervisoris Araiamenti et Retenementi hominum ad arma et sagittariorum existencium in Comitia domini Thome de Bello Campo Comitis Warrewyk tempore quo idem Comes habuit custodiam ville predicte"; setting forth the names, the men at arms, and the archers mentioned in the other roll.

These writings came into the possession of the Corporation so recently as 1849, in which year Mr. R. Laishley, then Mayor of Southampton, bought them at a public sale and gave them to the town.

— 13 Edward III. Deed of confirmation (of a deed of enfeoffment and conveyance of a piece of land in English Street in the town of Suthampton by John de Weston to Thomas le Saghiere) by Joane the wife of the said John de Weston.

— 14 Edward III. Deed of gift and conveyance of a "celarium," a shop and a piece of vacant ground in English Street in the town of Suthampton, by Cristina la Rydar, formerly the wife of John le Barbyr deceased, to Richard Comyn of the said town burgess.

— 14 Edward III. Deed of release and quitclaim, in respect to a "celarium cum solario et petrina," divers shops and a piece of ground &c. in the town of Suthampton, by John de Weston to Richard Comyn of the said town burgess.

— 14 Edward III. Deed of gift for ever, of a piece of land in English Street in the town of Suthampton, by Thomas le Saghiere to Richard Comyn of the said town burgess.

— 14 Edward III. Deed of grant for life, in survivorship, of a messuage with places before and behind it in English Street in the town of Suthampton, to Augustine Burgeis and his wife Isabella, by William atte Burche and his wife Isabella.

— 14 Edward III. Deed of gift for ever of a piece of land in English Street in the town of Suthampton, by John de Weston to Thomas le Saghiar of the said town burgess.

— 14 Edward III. Deed of release and quitclaim, in respect to certain shops, cellars, upper rooms, &c. in the town or suburb of the town of Suthampton, by John de Weston to Richard Comyn of the said town burgess.

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— 14 Edward III. Deed of gift for ever of a "celarium" shops and messuages &c. in the town or suburb of the town of Suthampton, by Cristina la Rydare to Richard Comyn of the said town burgess.

— 16 Edward III. Deed of release and quitclaim, in respect to a piece of land in English Street in the town of Suthampton, by Cristina widow of the late Philip de Baryngton to William Dolle of the said town butcher and burgess.

— 17 Edward III. Deed of gift for ever, of "a place" with a curtilage in English Street in the town of Suthampton, by John le Saddeler to Robert le Suteler of the said town burgess.

— 17 Edward III. Deed of gift for ever, of a messuage in English Street in the town of Suthampton, by John de Watlyngton of New Sarum to John le Clerk mariner and his wife Alice.

— 17 Edward III. Letters of Attorney, for livery of seisin, by Gilbert Auenal and his wife Alicia to John Segyn of Suthampton.

— 17 Edward III. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Joan de Weston widow, to Richard Comyn of the said town burgess.

— 18 Edward III. Deed of gift for ever of a place in English Street in the town of Suthampton, by Nicholas Montdenard of the said town burgess to Robert de Portesmuth of the same town smith.

— 19 Edward III. Deed of gift, for life in survivorship, of two shops with a curtilage in Bole Street in the town of Suthampton, by Agnes le Smale to Nicholas Sampson the elder of the said town burgess and his wife Isabella.

— 19 Edward III. Deed of gift for ever of a piece of vacant ground in English Street in the town of Suthampton, by Nicholas Sampson the elder of the said town burgess and his wife Isabella, to Thomas Wodefold of the said town burgess and his wife Agnes.

6 March, 19 Edward III. Deed of gift for ever of a piece of land in "Le Fisshchepyng" of the town of Suthampton by Robert Wrangy to his brother Nicholas Wrangy.

10 March, 19 Edward III. Deed of release and quitclaim, in respect to a pece of land in "le Fysshchepynges" in the town of Suthampton, by Robert Wrangy to his brother Nicholas Wrangy of the said town burgess.

8 September, 19 Edward III. Deed of sale and conveyance for ever of a piece of vacant ground in the town of Suthampton, by Alice Segyn and her husband John Segyn to Richard Comyn of the said town burgess.

— 19 Edward III. Deed of conveyance for ever, of a piece of ground in the town of Suthampton, by John Segyn of the said town burgess and his wife Alicia, to Richard Comyn of the said town burgess.

— 19 Edward III. Deed of grant for life in survivorship, at a yearly rent of a red rose, of two shops with a curtilage in Bole Street in the town of Suthampton, to Nicholas Sampson the elder of the said town burgess and his wife Isabella, by Agneta daughter of William le Smale formerly burgess of the same town.

— 19 Edward III. Deed of sale and conveyance for ever, of a tenement in English Street in the town of Suthampton, to Roger Godefrey of the said town burgess, by Henry de Chippenham parson

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of the church of St. John of Suthampton and Adam Gondozar atte Burche, executors of the testament of Isabella la Carter formerly the wife John le Carter formerly burgess of the same town.

— 20 Edward III. Deed of grant in fee-farm of a toft in English Street in the town of Suthampton, by William le Horder of the said town burgess and his wife Agnes, to Richard Imberd burgess of the same town.

— 20 Edward III. Deed of gift and conveyance, of a toft in the town to Suthampton, by Thomas Draycote chaplain, to John Barnabe of New Sarum and his wife Florence, and the heirs of her body.

20 March, 20 Edward III. Deed of release and quitclaim, in respect to a certain yearly rent of eight shillings, issuing out of a tenement in English Street in the town of Suthampton, by Laurence de Mes of the said town burgess and his wife Felicia, to Roger Godefrey burgess of the same town.

— 22 Edward III. Deed of gift for ever of a "celarium cum petrina" in the town of Suthampton, by Thomas de Draycote, chaplain, to John Consaill and John Barnabee of New Sarum.

— 28 Edward III. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by John de Upton parson of the church of St. Cross in Suthampton, to Thomas le Gust of the said town burgess.

— 32 Edward III. Deed of gift for ever of a piece of vacant land in French Street in the town of Suthampton, by Robert Wrangy of the said town burgess, to Thomas de Kyngton clerk.

— 33 Edward III. Copy of the deed of gift for ever of a "celarium cum petrinis supra-edificatis" and a toft in the town of Suthampton, by Robert de Boict citizen of New Sarum and Edmund Wier clerk to Richard le Sherere of the same city.

16 July, 34 Edward III. Deed of grant for life of all the lands and tenements at le Burchelonde, which descended to the grantor on the death of his father Edward atte Burch, by Robert atte Burche to John Rolf and John le Pipere the younger.

— 35 Edward III. Deed of gift for ever of one-half of a messuage in English Street in the town of Suthampton, by Thomas Stride son of John Stride of Lemyngton to John Barflet.

— 36 Edward III. Deed of gift for ever of a piece of vacant land in the town of Suthampton by Thomas Dol to John Wytegode of the said town burgess.

— 37 Edward III. Certificate and Memorandum of the imposition of the seal of the town of Suthampton upon certain writings of the conveyance of a tenement in English Street, in the town of Suthampton, made by Lucy daughter and heir of the late Richard Comyn to Nicholas Langestoke of the said town burgess and his wife Cristina; the sealing being done at the request of the said Lucy, after her declaration on oath that she was eighteen years old.

4 July, 37 Edward III. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Lucy daughter of Richard Comyn deceased to Nicholas Langestoke and his wife Cristina.

— 37 Edward III. Acknowledgment of Lucy, daughter and heir of Richard Comyn formerly of the town of Suthampton burgess, for the payment of a sum of money (100*l.*) to Nicholas Langestoke of the said town burgess and his wife Cristina.

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— 37 Edward III. Letters of Attorney, for livery of seisin, by Cristina, the wife of William Thorny of Hamele, of the town of Suthampton burgess, to Thomas le Gust burgess of the same town.

— 37 Edward III. Deed of gift for ever of a tenement with two vaults in the town of Suthampton, by Lucy, daughter and heir of Richard Comyn, to Nicholas Langestoke and his wife Cristina.

— 40 Edward III.—Deed of grant in fee-farm of certain land called "le Langlonde" and a croft called "Pillokes" in the parish of Elyng, by Robert atte Burche and his wife Alice, to John Rolf and his wife Julian and to John Piper the younger and his wife Katherine.

11 April, 41 Edward III. Deed of gift for ever of a tenement in English Street in the town of Suthampton, by Nicholas Sherwynde of the said town burgess, to John Polymound burgess of the same town.

25 September, 41 Edward III. Deed of gift for ever of the house called "Ronseval" and other tenements, &c. &c. in the town of Suthampton, by Stephen Michel to John Bron and Nicholas Sherewynd of the said town burgesses.

31 December, 42 Edward III. Indenture of an agreement made at Farnham in the diocese of Winchester between the Venerable Father and Lord, the lord William de Wykeham, bishop of Winchester, of the one part, and Edward Dieugard mayor of the town of Suthampton and John le Clerc the elder, John Wytegod, John Polymound and William Bacon the Scavini, and Roger Mascall and John Scarlet the bailiffs, and also Nicholas Langestoke the steward, and John Vissh, John le Clerc the younger, Henry Flemmyng, Adam Glouere, William Keruere, Nicholas Chapman, Richard Mey, William Malmeshulle, Nicholas Sherwynd, Thomas Hanwode, William Bole, Gregory Gerard, Ralph Taylour, Henry Staunford, Bartholomew Denys and Robert de Aulton burgesses, and the whole community of the town of Suthampton, of the other part. Witnessing, "Quod cum dudum inter bone memorie dominum Adomarium tunc Electum Wintonie et communitatem Burgensium ville composicio quedam facta fuisset super diversis ne mercimonia negociaciones seu merchandise alique victualibus diurnis dumtaxat exceptis in dicta villa Suthampton aut empcio seu vendicio eorum quovis modo fierent durante tempore feriarum sive Nundinarum ad montem Sancti Egidii juxta Wyntoniam prout in dicta composicione quam dictus Henricus Rex Anglie dicti domini nostri Regis . . . . per cartam suam confirmavit plenius continetur quarum quidem composicionis et confirmacionis tenores sequuntur in hec verba, Anno domini Millesimo ducentesimo quinquagesimo quarto die dominica proxima post Annunciacionem dominicam apud Merewell facta est composicio inter Venerabilem patrem a dei gracia Wyntonie Electum ex parte una et communitatem Burgensium ville Suthampton ex altera, videlicet, Cum exorta fuisset contencio inter predictum dominum Electum et dictos Burgenses super vendicionibus empcionibus et rerum venalium mercandisis tronagio et pesagio earumdem que durantibus Nundinis Sancti Egidii in Monte a quocunque in villa de Suthampton exceptis victualibus fieri non debent, dicti Burgenses ac ipsorum tota communitas unacum consensu et spontanea voluntate consenserunt et consenciendo promiserunt quod decetero de quibusdam rebus venalibus aut mercandisis quocumque termino venientibus ad Villam Suthampton occasione Nundinarum predictarum Sancti Egidii vel ipsarum Nundinarum de causa existentibus in eadem villa, nulla fiet vendicio aut empcio in dicta villa Suthampton per aliquem mercatorem sive de villa sive de extra exist' durantibus Nundinis supradictis nisi de victualibus que licite vendi possunt, Nec aliquod

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in eadem villa fieri debet tronagium aut pesagium dictarum rerum durantibus Nundinis prenotatis, Set omnes mercatores cum rebus suis venalibus et mercandisis predictis nundinis venientes ibidem et cum mercandisis occasione Nundinarum existentibus ibidem distringentur ad predictas Nundinas venire per catalla sua, quod si forsitan mercator ibi veniens cum rebus suis jurare voluerit se non ibidem venisse pro Nundinis aut occasione predictarum Nundinarum libere transeat recedat vel maneat sine compulsione aliqua veniendi ad Nundinas predictas duntamen durantibus dictis Nundinis nullam vendicionem in dicta villa faciat nisi de victualibus ut predictum est, Huic autem composicioni dicti Burgenses quantum in ipsis est consencientes ipsam observare et in nullo contravenire juramento prestito promiserunt jure domini Regis salvo cui per predictam composicionem nullum prejudicium generetur, In cujus rei testimonium nos Burgenses de Suthampton sigillum communitatis eiusdem ville presentibus literis fecimus apponi Dat' die et anno supranominatis: Henricus dei gracia Rex Anglie &c. &c. salutem, Inspeximus composicionem factam inter Venerabilem patrem Adomarium Wyntonie Electum et communitatem Burgensium ville nostre Suthampton in hec verba anno domini Millesimo ducentesimo quinquagesimo quarto &c. &c. &c. Nos autem predictam composicionem ratam habentes et gratam eam predicto Electo Wyntonie et successoribus suis pro nobis et heredibus nostris concedimus et confirmamus sicut composicio predicta racionabiliter testatur, Hiis testibus &c. &c. Dat' per manum nostram apud Westmonasterium vicesimo quarto die Aprilis anno regni nostri tricesimo nono; and *Witnessing* further that the same aforesaid agreement was viewed subsequently by Thomas Noteshullyng late mayor of the said town of Suthampton and by Roger Norman and other burgesses of the said town, and was approved and confirmed by the same mayor and burgesses by letters sealed with the seal of the community of the said town; which same letters (comprising the aforesaid agreement and confirmed by the present King of England) conclude with the following words, "quam quidem composicionem ratificamus confirmamus et approbamus pro nobis heredibus et successoribus nostris et communitate predicta imperpetuum, Concedimus eciam pro nobis heredibus et successoribus nostris ac communitate predicta quod ista composicio bis in annum in ecclesia beate Marie Suthampton per precentorem dicte ecclesie legatur et pupplicetur, videlicet in festis dominice in Ramis Palmarum et Assumpcionis beate Marie coram populo illuc ad processionem concurrente et sic imperpetuum de anno in annum pupplicetur et legatur, In cujus rei testimonium sigillum communitatis nostre ville Suthampton et sigilla nostra presentibus sunt appensa. Datum apud Suthampton die lune in festo Sancti Nicholai anno domini millesimo CCC^{mo} tricesimo tercio." After these recitals of previous letters, the present indenture continues, "Quibus quidem composicionibus et confirmacionibus iidem Edwardus Dieugard maior et Scabini Ballivi Senescallus ac ceteri burgenses predicti ac eciam communitas dicte ville Suthampton in presencia dicti domini Episcopi, domini Prioris Wyntonie Abbatis de Tychefeld, Dauid de Wollore Custodis rotulorum Cancellarie Regis, Ricardi de Rauensere Archidiaconi Lincolnie, dominorum Bernardi Brocas, Radulphi de Norton militum, Magistri Johannis Corf et Magistri Johannis Kelleseye notariorum publicorum ac aliorum fidedignorum tam de Comitatu Suthampton quam de Comitatu Surr' et Sussex fatebantur publice et expresse se contravenisse et eas violasse ac contra vim formam et effectum earundarum deliquisse eo quod tempore feriarum sive Nundinarum Sancti Egidii predicti ultimo preteritarum ministros Venerabilis Patris domini Episcopi supradicti ad dictam villam Suthampton ad faciendum et exercendum officium

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eorundem pro Nundinis predictis venientes contra dictas composiciones et confirmaciones ac libertatem ejusdem Episcopi impediverunt et sic deliquerunt propter quod iidem nunc Maior Scabini Ballivi Senescallus et ceteri Burgenses predicti vice et nomine eorundem ac tocius communitatis ejusdem ville Suthampton gracie et ordinacioni dicti domini Episcopi se simpliciter submiserunt et quadraginta dolia boni vini Vascon nomine emende pro delicto impedimento sive transgressione huiusmodi sibi pure ec spontanee optulerunt et concesserunt solvend' eidem domino Episcopo ad terminum per ipsum limitandum juxta ipsius voluntatem et beneplacitum, Volunt insuper et concedunt dicti Maior Scabini Ballivi Seneschallus et ceteri Burgenses pro se et communitate predicta quod composiciones et comfirmaciones predictas de quibus supra fit mentio factas quatenus eos et eorum quemlibet ac heredes et successores suos ac terrarum et tenementorum suorum tenentes concernunt inviolabiliter observabunt et in nullo contravenire volunt nec contravenient in futuro Item volunt et concedunt prefati nunc Maior Scabini Ballivi et alii predicti pro se et communitate predicta ac heredibus successoribus et terrarum et tenementorum suorum tenentibus quod Prefatus Episcopus et successores sui Episcopi Wintonie singulis annis imperpetuum libere habeat seu habeant unum ballivum sive ministrum quem duxerint seu duxerit deputandum ad interessendum morandum et videndum in villa Suthampton predicta pro toto tempore feriarum sive nundinarum predictarum ne alique empciones seu vendiciones ibidem fiant victualibus . . . . dumtaxat exceptis et ad facienda attachiamenta et aresta omminoda et plenariam execucionem de omnibus supradictis et ad seisiendum et capiendum in manus dicti domini Episcopi omnes forisfacturas ad ipsum in hac parte pertinentes si que fuerint vel acciderint et eas extra dictam villam abducendum et asportandum ad opus predicti Episcopi et successorum suorum absque impedimento seu contradiccione predictorum Maioris Scabinorum Ballivorum Senescalli aut aliorum Burgensium seu communitatis ejusdem ville Suthampton, heredum vel successorum suorum aut alicujus eorundem; Et si contingat quod ipsos Maiorem Scabinos Ballivos et alios predictos seu communitatem ejusdem ville Suthampton aut aliquem eorundem vel heredes successores aut terrarum et tenementorum suorum tenentes aut aliquem eorundem in premissis vel aliquo premissorum infuturum delinquere seu presenti composicioni aut aliis composicionibus et confirmacionibus predictis in aliquo contravenire, quod absit, tunc volunt et concedunt iidem nunc Maior Scabini Ballivi Senescallus Burgenses et communitas ejusdem ville Suthampton pro se heredibus ac successoribus suis ac terrarum et tenementorum suorum tenentibus quod quociens ipsi vel eorum aliquis sic deliquerit vel contravenerit seu contravenerint aut deliquerint tociens penam mille marcarum erga dictum dominum Episcopum et successores suos incurrant soluendarum eidem Episcopo aut successoribus suis Episcopis Wyntonie apud Wolveseye infra tres menses a tempore hujusmodi delicti aut transgressionis facte absque contradiccione seu dilatione ulteriori, Ad quam quidem summam mille marcarum terminis diebus et loco predictis ut premittitur fideliter solvendarum iidem nunc Maior Scabini Ballivi seu Burgenses et communitas dicte ville Suthampton obligant se heredes et successores suos ac terrarum et tenementorum suarum tenentes, necnon terras tenementa bona et catalla sua mobilia et immobilia quecunque prefato domino Episcopo et successoribus suis Episcopis Wyntonie imperpetuum . . . . . Volunt insuper predicti nunc Maior Scabini &c., &c., &c. quod annuatim die dominica ante festum Sancti Egidii et die dominica proxima post festum in ecclesia Sante Crucis ac in plena Curia Suthampton . . . . fieri faciant publicam proclamacionem inter eos dum major pars populi ibidem fuerint de predictis composicionibus . .

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. . . ne de eis aliquis pretendere possit ignoranciam in futurum, Et preter hoc annis singulis imperpetuum die dominica in Ramis Palmarum et in festo Assumpcionis beate Marie Virginis in ecclesia beate Marie Suthampton ad majorem noticiam premissorum publicari facient coram populo omnia et singula contenta in composicionibus et confirmacionibus memoratis . . . . . Et ad omnia et singula premissa fideliter tenenda et observanda &c. &c. prefati nunc Maior Scabini et alii superius nominati . . . . . nichilominus sacrosanctis dei evangeliis . . . . corporali juramento se astrinxerunt et realiter juraverunt in presencia dictorum Prioris Abbatis Dauid Archidiaconi Bernardi Radulphi et notariorum predictorum et aliorum plurimorum &c. &c. Sealed with the seals (fragments of them remaining) of the Bishop aforesaid William of Wykeham and the chapter of Winchester.

26 May, 42 Edward III. Deed of gift for ever of certain lands and tenements &c. within the liberty of the town of Suthampton, by Bartholomew Denys, Henry Goteberd and Nicholas Tanner, executors of the will of Christina formerly the wife of Nicholas Moundebird, to Roger Mascal; a yearly rent of six marks being reserved to the said Bartholomew Denys during his life.

— 43 Edward III. Deed of gift for ever of two "celaria cum solariis" in Bole Street in the town of Suthampton, by Thomas Chapelyn citizen of New Sarum, to Robert Bechefont of Suthampton burgess.

6 February, 43 Edward III. Deed of release and quitclaim, in respect to an annual rent, by John London the younger of Hardebrugge and his wife Agnes, to William le Carpynter of the same town.

8 October, 46 Edward III. Deed of gift for ever of a piece of garden in the town of Suthampton by John Barflett to John atte Bere of the said town burgess.

25 March, 46 Edward III. Deed of grant in fee-farm of a tenement in English Street in the town of Suthampton, by John le Clerk the elder of the said town burgess to William Walderne citizen of London.

— 46 Edward III. Deed of release and quitclaim, in respect to all actions &c., by Henry Cantebrigge, citizen and merchant of London, to his late servant William Raueneston.

— 47 Edward III. Deed of gift for ever, by the Mayor and community of the town of Suthampton to the Friars Minors of the said town, of a certain house which the said Friars have lately built for the defence of the said town.

— 47 Edward III. Deed of release and quitclaim, in respect to all actions &c., by Simon Clerk of Lymington merchant to Thomas le Gust of Suthampton merchant.

20 September, 48 Edward III. Deed of the grant, for life in survivorship, of a messuage in English Street in the town of Suthampton, to Roger Mascal and his wife Felicia, by John Polymound.

6 October, 48 Edward III. Deed of gift for ever of a tenement in English Street in the town of Suthampton, by Walter Lange of the said town and his wife Joan, to William Bacon burgess of the said town and to the grantor's uncle, Thomas Lange.

18 October, 49 Edward III. Deed of release and quitclaim, in respect to certain tenements and shops &c., within the liberty of the town of Suthampton, by William Malmeshull, son of William Malmeshull, of the said town burgess, to his said father.

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— 49 Edward III. Deed of release and quitclaim, in respect to certain tenements and shops in the town of Suthampton, by William Fysmark to his brother John Fysmark.

12 April, 51 Edward III. Indenture of an agreement, made between Nicholas Sherewynd and John Polymound, burgesses of Suthampton: Having reference to the grant and conveyance of a tenement in English Street in the said town by the said Nicholas to the said John; and also having reference to two writings of Statute Merchant, by which the said Nicholas is bound in 120*l.* to Stephen Haym and Nicholas le Taillour of New Sarum citizens, and in 20 marks to William Shyringham of London.

— Edward III. Deed of Conveyance of a Capital Tenement in French Street in the town of Suthampton, by John le Long, son and heir of Henry le Long formerly of the said town burgess, to Hugh Sampson burgess of the same town.

— Edward III. Acknowledgment by Lucy, daughter and heir of Richard Comyn formerly burgess of Suthampton, of the payment in full made to her for a tenement in the said town, sold by her to Nicholas Langestoke burgess of the same town and his wife Cristina.

— Edward III. Deed of gift for ever of a "celarium cum duabus petrinis" in English Street in the town of Suthampton, by Lucy Fortyn, formerly wife of the late Robert de Bareflut, to her daughter Rosia.

— Edward III. (?). Deed of gift for ever of a tenement in Symenlestrete in the town of Suthampton, by Nicholas le Ride de Weston and his wife Margery, to John Wadhorn of Suthampton.

— Edward III. (?). Deed of gift for ever of a "celarium cum duabus petrinis, &c." in English Street in the town of Suthampton, by Theobald le Walsman and his wife Rosia to Nicholas de Moundenard of the said town burgess.

— Richard II. Indenture of concession that should Nicholas Sherwynd of Suthampton burgess pay the sum of 63*l.* 6*s.* 8*d.* to Roger Mascal and John Pembrok rector of St. John's church in the said town, or to either of them, at or before the feast of St. Thomas the Apostle next to come, the deed, whereby the said Nicholas has given to the same Roger and John a certain tenement with a curtilage in English Street in Suthampton, shall be void.

1 April, 2 Richard II. Deed of gift for ever of a tenement with appurtenances in English Street in the town of Suthampton, by Roger Muscal of the said town burgess and John Pembrok parson of St. John's church in the same town, to John Flete and John Swofham of the said town burgesses.

19 February, 2 Richard II. Deed of release and quitclaim, in respect to all causes of action, &c., by Nicholas Sherwynd to Walter Lange of the town of Suthampton burgess and to his wife Joan, executrix of the testament of Thomas Gust.

8 June, 2 Richard II. Grant in fee-farm of a tenement in English Street in the town of Suthampton, by John Barflet of the said town burgess to John Atte Bere burgess of the same town.

25 November, 2 Richard II. Deed of Grant in fee-farm of a tenement with a curtilage in Estrete in the town of Suthampton by William Malmeshull the Mayor and by the Community of the said town to John Dounton weaver.

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7 July, 3 Richard II. Deed of gift of a tenement in English Street in the town of Suthampton, by William Bacon junior burgess of the said town and Thomas Lange of Weymouth, to Walter Lange of Suthampton and his wife Joan.

5 October, 3 Richard II. Deed of gift for ever of a tenement in English Street in the town of Suthampton, by Roger Mascal of the said town burgess and his wife Felicia to John Clerot of Lymyngton.

6 October, 3 Richard II. Letters of attorney, for livery of seisin, by John Clerot of Lymington to Nicholas Chapman and Thomas Baw of the town of Suthampton burgesses.

14 June, 3 Richard II. Deed of gift for ever of a piece of vacant ground in English Street in the town of Suthampton, together with a rent from two shops, &c., by John atte Bere of Suthampton burgess to Roger Mascal of the same town.

16 June, 3 Richard II. Bond of John atte Bere of the town of Suthampton merchant for the payment of 80*l.* to Roger Mascal.

17 June, 3 Richard II. Condition of the bond of John atte Bere of Suthampton for the payment of 80*l.* to Roger Mascal of the same town.

— 3 Richard II. Bond of Roger Mascal of the town of Suthampton burgess for the payment of seventy pounds to John le Clerot of Lemyngton.

— 3 Richard II. Bond of Roger Mascal of Suthampton for the payment of 70*l.* to John le Clerke of Lemyngton.

— 3 Richard II. Deed of gift for ever of a tenement in English Street in the town of Suthampton, by John Flete and John Swafham of the said town burgesses, to Roger Mascal burgess of the same town and his wife Felicia.

6 March, 4 Richard II. Deed of release and quitclaim, in respect to lands and tenements &c. in the town of Suthampton, by Nicholas Chapman and two others to John-atte-Bere of Suthampton burgess.

1 February, 4 Richard II. Deed of gift for ever of all his lands and tenements &c. within the town of Suthampton and the suburbs thereof, by John-atte-Bere of the said town burgess to John Baillif of Lymyngton, Nicholas Chapman of Suthampton burgess and William Underleche of the last-named town chaplain.

6 July, 4 Richard II. Letters of Attorney, for livery of seisin, by John atte Bere of the town of Suthampton burgess to Thomas de Midlyngton.

4 July, 5 Richard II. Deed of release and quitclaim, in respect to a piece of vacant ground in English Street in the town of Suthampton, together with a certain rent, by Roger Mascal to John-atte-Bere of the said town burgess.

9 July, 5 Richard II. Deed of gift for ever of divers tenements, a piece of vacant ground and a rent in the town of Suthampton, by John atte Bere of the said town burgess to Robert Parker rector of the church of St. Lawrence of the said town and John Pembrok rector of the church of St. John of the same town and William Underleche chaplain.

20 October, 5 Richard II. Deed of gift for ever of a piece of vacant ground in English Street in the town of Suthampton, by Thomas-atte-Grene of the town of Burdegal burgess to Roger Mascal burgess of Suthampton.

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20 January, 5 Richard II. Deed of grant in fee-farm, at a yearly rent of twenty-four shillings, of a piece of ground and a certain rent, by Robert Parker rector of the church of St. Lawrence and John Pembrok rector of the church of St. John in the town of Suthampton and William Underleche of the same town chaplain, to Sir Thomas Beauchamp, knt.

26 April, 6 Richard II. Deed of release and quitclaim, in respect to all lands and tenements &c. in the town of Suthampton, formerly belonging to Nicholas atte More of the said town burgess deceased, by Edith atte Weye, executrix of the testament of the said Nicholas, to John Flete of the said town burgess.

22 May, 6 Richard II. Letters (French) of attorney, to receive money of Johan at Bere of Suthampton burgess and merchant, by Roger Mascall of the same town burgess and merchant, to Sir Thomas Beauchamp knt.

14 February, 7 Richard II. Deed of gift for ever of a piece of vacant ground in French Street in the town of Suthampton by Thomas Hoore esq. the King's serjeant-at-arms, to John Polymound of the said town burgess.

9 January, 8 Richard II. Deed of gift for ever of certain lands and tenements in the liberty of the town of Suthampton by John atte Bere of the said town burgess to Sir Thomas Beauchamp knt.

31 January, 8 Richard II. Deed of release and quitclaim, in respect to all actions &c., by Robert Felde of London merchant to William Rauenestone of Suthampton merchant.

25 April, 8 Richard II. Deed of grant in fee-farm of a piece of vacant ground in the street called "Fysschepyng" in the town of Southampton, by William Malmeshull to Roger Claidon of the said town burgess.

18 September, 9 Richard II. Letters of Attorney, for livery of seisin, by John atte Bere of Suthampton burgess, to Sir Thomas Beauchamp knt.

28 February, 10 Richard II. Deed of release, in respect to all actions, &c., by Richard Hewet of Heanslape draper and William Smeth of Castelthorp, to William Newey late of Rauenestone and now of Suthampton.

8 January, 11 Richard II. Deed of gift and conveyance for ever of a tenement in Suthampton called "le Runsival" by John Bechefont, William Tuderlegh and William Weston, to Robert Bechefont of Sarum citizen.

20 June, 11 Richard II. Deed of gift and conveyance for ever of a tenement in the parish of St. Michael in the town of Suthampton, called "Le Ronceval" by Robert Bechefont of the said town burgess to John Syward, John Frome and Thomas Huse.

18 March, 12 Richard II. Deed of release and quitclaim, in respect to all causes of action &c., by Joan Vont to William Rauenestone of the town of Suthampton burgess.

— March, 13 Richard II. Deed of release and quitclaim, in respect to all causes of action &c, by Henry Cantebrigge citizen of London to William Rauenestone of Suthampton.

—14 Richard II. Lease (French) for an entire year of the customs of their town (by land as well as by water), by the Mayor and community of the town of Southampton to Thomas Appelby merchant of the same town.

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— 15 Richard II. Lease by Robert Tanner of the town of Suthampton burgess and his wife Alice, to Walter Reygate of the same town burgess and his wife Juliana, of lands and tenements &c., in the said town, for the term of the life of the said Alice.

28 February, 15 Richard II. Deed of gift for ever of a tenement in English Street in the town of Suthampton, by Thomas de Midlyngton, John Skarlet and Thomas Bau of the said town burgesses, to Geoffrey Waldern of London citizen.

2 March, 15 Richard II. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Richard Godfrey of the said town burgess, to Geoffrey Waldern of London citizen.

5 March, 15 Richard II. Acknowledgment of Richard Godfray of the town of Suthampton mercer of the payment of 40*l.* by Geoffrey Walderne of London citizen and mercer.

— 16 Richard II. Deed of grant for life, in survivorship, by John Polymound of the town of Suthampton burgess, of a tenement in English Street in the said town, to Geoffrey Veel of the same town, his wife Margery, and their sons Thomas and John.

21 November, 16 Richard II. Deed of sale and conveyance of a messuage in the town of Suthampton, by William Malmeshulle of the said town burgess, to Walter Reigate and John Botiller burgesses of the same town; power being reserved to the said William to redeem the said messuage by paying the said Walter and his wife Alice sixteen marks on or before a certain day.

22 January, 16 Richard II. Deed of release and quitclaim, in respect to a tenement with two vaults in English Street in the town of Suthampton, by Richard Holle of Westcosham to Nicholas Langestoke of Suthampton burgess.

27 May, 17 Richard II. Deed of release and quitclaim, in respect to two tenements in English Street in the town of Suthampton, by William Brugges and Gilbert Herry of the said town chaplains and Thomas Bromle and Thomas Briklyngseie burgesses of the same town, to John Deryng of the same town burgess.

5 March, 17 Richard II. Deed of release and quitclaim, in respect to all causes of action &c., by Robert Wariner, Master of a ship called "la Cristofre of Yepiswiche," to Robert Pole and William Waryn, merchants of New Sarum.

7 August, 18 Richard II. Deed of release and quitclaim, in respect to all causes of action &c., by Walter Lange of the town of Suthampton burgess to William Nicoll of the same town.

24 May, 19 Richard II. Deed of gift for ever of a tenement with appurtenances in the High Street of Suthampton ("in summo vico") by John Clerk of Lemyngton to John Bolt, Thomas Emmori, John Garston and Robert Notyere.

— 19 Richard II. Acknowledgment (French) by Margaret widow of the late John Slegh and executrix of his will, that she has received 12*l.* of William Rauenston of the town of Suthampton.

24 May, 19 Richard II. Letters of Attorney, for livery of seisin, by John Clerk of Lemyngton to Thomas Marleburgh and William Rauenestton of the town of Suthampton.

1 February, 19 Richard II. Deed of release and quitclaim, in respect to all actions &c., by John-atte-Well to William Rauencston of the town of Suthampton burgess.

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MSS. OF THE TOWN OF SOUTHAMPTON.

1 October, 20 Richard II. Deed of release and quitclaim, in respect to a "celarium cum petrina et placea terre" in the town of Suthampton, by William Brugis and Gilbert Harry chaplains to William Nicholl and his wife Elena.

20 October, 20 Richard II. Deed of gift for ever of a "celarium cum petrina suprasita et placea terre vacue" in the town of Suthampton, by Thomas Midlyngton and Alexander Dey (executors of the testament of John Polymond deceased), to William Nicholl and his wife Elena.

6 May, 20 Richard II. Indenture of Apprenticeship whereby William Lange, son of Adam Lange of Emmesworthe, co. Suthampton, bound himself as an apprentice for six yeers to John Lange of the town of Suthampton cordwaner.

— 20 Richard II. Indenture of a Final Concord made between John the Prior and convent of St. Denis near Suthampton of the one part, and William Maple and the community of the town of Suthampton of the other part. Whereby it was agreed amongst other things that the tenants of the said Prior and Convent "apud villatam de Porteswoda commoraturi facient sectas suas semel vel bis annuatim ad visus franc' pleg' tenendos per Maiorem et ballivos ville predicte vel successores suos apud le Cutthorn vel alibi," all amerciaments, fines, forfeitures &c. arising thereat from the said tenants being divided between the two parties to the present agreement, in the proportion of two-thirds thereof to the Mayor and Convent and the remaining one-third thereof to the said Mayor bailiffs and community; and that towards all fifteenths raised within the same town and its liberties, the said Prior and Convent shall be contributories thereto with the said Mayor and community, contributing (for the rent held by them, the said Prior and Convent in the said town, and for their said tenants at Porteswode) "ad quamlibet quintam decimam viginti sex solidos et octo denarios sterlingorum, ad mediam vero quintam-decimam tresdecim solidos et quatuor denarios sterlingorum;" and further that the said Prior and Convent shall not exact aught from the same Mayor and community &c. "nomine pro quodam annuali redditu quadraginta solidorum et quatuor denariorum unde triginta duos solidos et duos denarios pro lepriosis ville Suthampton et octo solidos et duos denarios sterlingorum in terra de Suthwykes juxta Porteswodam &c."

20 May, 20 Richard II. Bond of Sir Ralph Whitehors knt. of the county of Surrey for the payment of forty shillings sterling to Richard Llyderowe esquire.

— 21 Richard II. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Joan, widow of John-atte-Bere deceased, to Walter Lange of the said town burgess.

— 21 Richard II. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Nicholas Chapman of the said town burgess to Walter Lange and Joan his wife.

20 October, 21 Richard II. Letters of attorney, for livery of seisin, by John Bolt, Thomas Emory, John Garston and Robert Notyere to John Pengeston.

31 October, 21 Richard II. Deed of gift for ever of a tenement in the High Street (in summo vico) of the town of Suthampton, by John Bolt, Thomas Emory, John Garston and Robert Notyere, to Walter Lange of Suthampton and his wife Joan.

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27 November, 21 Richard II. Deed of release and quitclaim, in respect to lands and tenements in the town of Suthampton, by Lucy, widow of John Clerk of Lemyngton deceased, to Walter Lange of Suthampton burgess.

10 September, 23 Richard II. Deed of gift for ever of lands and tenements in the town of Suthampton, by John Towy of the said town, to John Berflet of the same town burgess.

— 23 Richard II. Letters of attorney, for livery of seisin, by Thomas Spicer of Southampton to John Hampton and Thomas Hele.

— 23 Richard II. Deed of gift for ever of a tenement in the town of Suthampton by Thomas Spicer of the said town to Thomas Couentre.

23 March, 2 Henry IV. Deed of gift for ever of two tenements in English Street in the town of Suthampton by Philipp Fritewell chaplain to John Deryng of the said town burgess.

30 March, 2 Henry IV. Deed of gift for ever of two contiguous tenements in English Street in the town of Suthampton by Walter Lude rector of the church of St. Michael in the said town to John Boteller burgess of the same town.

10 May, 2 Henry IV. Indenture of a curious agreement (by way of a marriage settlement), made between William Lelham "dominum de Grove" and his wife Cecilia of the one part, and John Benet of Oxford cook of the other part, in anticipation of the marriage of William Lelham (son and heir of the aforesaid William) with Juliana, daughter of the said John Benet.—Witnessing (1) That William Lelham the son will take for his wife the said Juliana, with whom the said John will deliver to the said William Lelham the father and to his wife Cecilia twenty marks of silver, forty shillings thereof to be paid in hand, and the remainder in sums of six shillings and eightpence each to be paid on the next ensuing feasts of St. Thomas the Apostle, the Annunciation of the Virgin Mary, the Nativity of John the Baptist and of St. Michael the Archangel, and so on year by year till the completion of the payment of the said twenty marks, it being provided that should the said William Lelham the son die within five years of the agreement the said John shall be under no obligation to pay another instalment of 6*s.* 8*d.*, but shall on the contrary be repaid by the said William the father and his wife Cecilia all moneys rendered by him (the said John) towards the payment of the said twenty marks; (2) That the said John Benet will enfeoff the said William Lelham the younger and his wife Juliana in three several tenements lying in Oxford, to hold the same to them and their heirs, the lawful issue of the contemplated marriage, under conditions hereafter set forth; it being provided that, in case Juliana should die without issue, one of the tenements should remain to the said William the younger and his right heirs, the other two tenements reverting to the aforesaid John Benet his heirs and assigns; (3) That the said John for the eight years next following the date of the present indenture at his costs and charges shall entertain the said William the younger and Juliana and all children begotten between them, and provide them with all necessaries, receiving however during the same eight years the rents and profits of the said three tenements, towards the maintenance of the said William and Juliana and their children; and (4) that on the departure of the said William and Juliana with their children at the end of the said term of eight years from his house to a house of their own, the aforesaid John Bennet cook will provide them with one bed provided with blankets, sheets and all other furniture needful for the same bed, one vessel for water with a wine-vase, two table cloths with

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two towels (ij mappas cum ij tuall) twelve silver spoons, two cups, two brass pots, one 'chawfre,' four plates, one dozen of vessels for garnishing the supper, two salts, and two candlesticks.

— 3 to 4 Henry IV. Bill (French) of Costs and Charges, headed "Ceux sount les expensez faictz par John' Meyr par dyversez temps entour lez pleez et bosoignez de Geffr' Gatton, Isold sa femme et John' Horder et William Horder et le dit John Meyr lan du regne von Henry le iiij^e iij et le quart."

— 3 Henry IV. Acknowledgment of William Parkens of London citizen and mercer, that he has received 6*l.* of William Rauenestou of Suthampton.

3 July, 3 Henry IV. Acknowledgment of Henry Hyndelay that he has received 50 marks of William Rauyneston.

— 3 Henry IV. Lease for ten years of a messuage in the High Street of the town of Suthampton, by Joan Tylby widow to John Jamys of the said town merchant.

7 January, 4 Henry 4. Deed of release and quit-claim, in respect to all causes of action &c., by John Coombe the younger of London clerk to John Therne of the same city goldsmith.

6 February, 4 Henry IV. Letters Certificatory touching the Beam of the Wools in the port of Suthampton by "Alexander Dey executor testamenti Johannis Polymound et nuper clericus ejusdem Johannis et Willelmus Rosyng nuper deputatus Roberti Lyncoln nuper Custodis Trabis lanarum in portu ville Suthampton."

— 4 Henry IV. Lease for twenty years, at a yearly rent of a red rose, of a tower over the Watyrgate of the town of Suthampton and of another tower contiguous thereto, by Thomas Midlyngton mayor and the community of the said town to William Rauenestou.

4 October, 5 Henry IV. Deed of release and quit-claim, in respect to a tenement in Bovebarrestret in the town of Suthampton, by Amice Malmeshull widow to Walter Lange of the said town burgess.

14 March, 5 Henry IV. Deed of release and quit-claim, in respect to a certain yearly rent of 8*s.*, by Amice widow of the late William Malmeshull to Walter Lange burgess of Suthampton.

4 June, 5 Henry IV. Acknowledgment of Henry Popham esq. that he has received of Richard Bradewey, Steward of the town of Suthampton, 8*l.* 13*s.* 3*d.* "pro medietate subsidii."

19 June, 5 Henry IV. Acknowledgment of John Pegest of Cornwall, that he is indebted and bound in the sum of 12*l.* to John Therne goldsmith, John Talkarne tailor, and John Sutton hosier, all three of London.

16 September, 5 Henry IV. Letters of Exemplification under the Mayoral seal of the town of Bristol, of a certain writing under the seal of the town of Suthampton, fixing the tolls and customs, to be paid by men of Bristol on merchandize brought by them into Suthampton.

28 April, 6 Henry IV. Acknowledgment (French) of Henry Popham that he has received 10*l.* from Thomas Appleby, in part payment of twenty marks.

1 June, 6 Henry IV. Bond of Margaret Alond of Suthwerk for the payment of 26 shillings and 8 pence to John Therne of London, citizen and goldsmith.

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—, 6 Henry IV. Deed of sale and conveyance of "duo celaria cum una petrina" in the town of Suthampton, by Alexander Dey of the said town burgess, to William Nicoll burgess of the same town.

8 June, 6 Henry IV. Lease for twenty years of a messuage &c. in English Street in the town of Suthampton, by John Barflete to Adam Merrish.

3 March, 7 Henry IV. Bond of Thomas Couentre for the payment of ten marks to William Rauenston and his wife Alice.

4 March, 7 Henry IV. Deed of gift for ever of a tenement in Suthampton by Thomas Couentre of Oxford to William Rauenston and his wife Alice.

5 March, 7 Henry IV. Indented memorandum of the delivery of divers charters and other muniments by Thomas Couentre and John Spicer, to William Rauenston and his wife Alice.

— 7 Henry IV. Licence to the Mayor and Community of Suthampton, to buy and sell within their town during the fairs of St. Giles (super montem sancti Egidii juxta Wyntoniam), granted by Richard Wyot (Steward of the lord Henry Beaufort bishop of Winchester, and Justiciar of the same bishop's pavilion on the hill of St. Giles of Winchester) and Simon Membury, Treasurer of the same bishop's palace of Wolveseye.

— 8 Henry IV. Deed of release and quitclaim, in respect to a rent of 4*s.* to be had yearly of a tenement in the suburb of Suthampton, called "Abovebarestret," by Benedict Flemyng of the said town burgess and John son of the said Benedict, to Michael Goos and his wife Isabella.

24 May, 8 Henry IV. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Gilbert Herry to William Rauenston and his wife Alice.

— 10 Henry IV. Letters of Attorney dated by Roger Randolf to Richard Stydulf.

10 October, 11 Henry IV. Indenture of an agreement between Thomas Godynton *alias* Gotton of the Isle of Wight and Margaret Tanks widow, for the satisfaction of the said Margaret in respect to the said Thomas's bond for the payment of 100*l.* to the same Margaret.

20 September, 11 Henry IV. Deed of grant for life in survivorship, of a tenement in French Street in the town of Suthampton, by John Beneyt the Mayor and the community of the said town, to Thomas Patryche of the same town "bowyar" and his wife Cristina.

20 September, 11 Henry IV. Deed of gift for ever of a tenement and a piece of land in the town of Suthampton, by Thomas Chamberlain clerk to William Rauenston of the said town and his wife Alice.

9 July, 11 Henry IV. Deed of release and quitclaim, in respect to all causes of action, &c., by Anabil Sopply of Tychefeld to William Rauenestone of the town of Suthampton burgess.

— 11 Henry IV. Bond of John de Nobyll of Florence for the payment of 40*s.* to William Kyngesmyll of London, citizen.

3 October, 12 Henry IV. Acknowledgment of Thomas Marleburgh, executor of the testament of Alexander Dey of Suthampton, burgess, that he has received of John Dygill and his wife Agnes 33 shillings and 4*d.* in part payment of a yearly rent of ten marks.

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11 October, 12 Henry IV. Deed of gift for ever of a tenement in English Street in the town of Suthampton, by William Rauenestone of the said town burgess and his wife Alice, to Henry Somer, Mark le Fayre, citizens of Winchester, and Henry Holewey, Thomas Armorer, burgesses of Suthampton, Richard Wollopp and Richard Spencer of New Sarum, William Picard citizen of London, and Gilbert Thurlbern, clerk.

12 October, 12 Henry IV. Deed of gift for ever of a tenement and "petrina cum selario" in the town of Suthampton, by Thomas Marleburgh of the said town and William Rede of Bottelee, to William Nicholl of Suthampton, burgess.

20 October, 12 Henry IV. Letters of Attorney, for livery of seisin, by William Rede of Bottele to Thomas Marleburgh of Suthampton.

20 November, 12 Henry IV. Deed of release and quitclaim, in respect to a tenement in French Street in the town of Suthampton, by Thomas Marleburgh of the same town burgess and William Rede of Bottelee, to William Nicoll burgess of the same town.

8 February, 12 Henry IV. Deed of release and quitclaim, in respect of all causes of action &c., by John Coombe clerk to John Therne of London, citizen and goldsmith.

— 12 Henry IV. Deed of gift for ever, of all his goods and chattels, by John Therne of London citizen, to John Garton, Esq. and Richard Felmonger of Southwerk.

— 12 Henry IV. Grant (French) of pardon of a trespass in respect to a pipe of wine by Thomas Beaufort, Admiral of England and Ireland and Captain of the "Chastell de Calais," to William Berman of Crofton. Dated from London.

5 June, 13 Henry IV. Acknowledgment of Thomas Marlburgh, executor of the testament of Alexander Dey late of Suthampton, deceased, that he has received 33*s.* 4*d.* of Michael Gos and his wife Isabella.

27 September, 13 Henry IV. Deed of gift for ever of a piece of land in French Street in the town of Suthampton, by John Selder to William Nicoll of the said town, burgess.

21 October, 13 Henry IV. Deed of gift for ever of a tenement with appurtenances in Suthampton, by John Mundy to John Mascall of the said town burgess.

30 October, 13 Henry IV. Acknowledgment of Thomas Leyntwardyn clerk, that he has received 100 shillings of John Nylewyn.

— 13 Henry IV. Acknowledgment of Methem Goos of the town of Suthampton burgess, that he has received 33*s.* 4*d.* from John Dygill of the same town.

27 November, 13 Henry IV. Charter-party, made and sealed by William Nycoll and Wylliam Soper of Southampton, merchants, and Geffroy de Fonille, Master of the vessel "le Vessel de *Saynt Gabriell* de Vimers de Hirell en Bretaigne."

10 March, 13 Henry IV. Bond of John Wulf of the town of Suthampton, burgess, for the payment of 10*l.* to James Seye, citizen and merchant of New Sarum.

30 March, 1 Henry V. Letters of Exemplification, under the official seal of Henry Holewey, mayor of the town of Suthampton, of the Letters of Free Passage and Safe Conduct, for an entire year, dated

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31 August, 13 Henry IV., by Thomas Earl of Dorset and Admiral of England and Ireland, for Oublet Burgus of Harfleu in Normandy, prisoner of Thomas Codeworth of Weymouth, at whose request are granted the said letters of Free Passage and Safe Conduct, which empower the said Oublet Burgus to cross the seas from whatever port he may choose, in the execution of his own affairs, and within the said year to return either in person or by attorney, in a vessel of 40 tons burden, manned with seven seamen and freighted with merchandise of his own selection, and to dispose of the same freight for his own profit and advantage.

25 November, 1 Henry V. Bond of John Shopper of New Sarum mercer, for the payment of 5 marks 3 shillings and 4 pence to Clarice Pecock of Southwerk.

— 1 Henry V. Lease for ten years, of a piece of vacant ground in Bole Street in the town of Suthampton, by the Mayor and community of the said town to Walter Fetplace of the same town burgess.

6 January, 3 Henry V. Deed of gift for ever, of lands and tenements &c. in the town of Suthampton, by John Barnabe of New Sarum to his son John Barnabe.

7 April, 5 Henry V. Letters of Attorney, for livery of seisin, by Richarde de Towne to Thomas Belle and Benedict Wychford.

27 April, 5 Henry V. Deed of gift for ever, of the moiety of a tenement with appurtenances in the town of Suthampton, by Robert de Bercroft and his wife of Joan, to William Nycoll of the said town burgess.

15 May, 5 Henry V. Deed of gift for ever, of the half of a certain tenement with the whole of a certain vault in the town of Suthampton, by William Nycoll of the said town burgess and Richard de Towne, to Robert de Bercroft and his wife Joan.

15 May, 5 Henry V. Letters of Attorney, for livery of seisin, by Richard de Towne to Thomas Belle and Benedict Wichford.

17 January, 5 Henry V. Deed of gift for ever, of certain tenements in the town of Suthampton, by Robert Hayne, Henry Swanlond, Thomas Selby, William Breeme and Thomas Cosyns, to Adam Merreysh of the said town burgess and his wife Joan.

28 April, 6 Henry V. Letters of attorney, for livery of seisin, by Thomas, Duke of Exeter, &c., to Thomas Soper of Suthampton burgess and Thomas Clere.

28 April, 6 Henry V. Deed of gift and conveyance by Thomas, Duke of Exeter &c., of certain lands and tenements &c. in the town of Suthampton, which came to His Grace of the gift and feoffment of Thomas Apulby late of the said town burgess, to Roger Whelpedale, Philip Caxton, Richard Barbour, William Rotheram and Thomas Frelond; To hold during the life of the wife of John Pole of the said town burgess.

7 May, 6 Henry V. Acknowledgment by Thomas Andrew of Herwych co. Essex, merchant, that he has received 10*l.* of William Nicoll burgess and merchant of the town of Suthampton.

28 June, 6 Henry V. Deed of release and quitclaim, in respect to all causes of action &c. by John Dunster, formerly servant of William Rauenston of the town of Suthampton burgess, to Alice (widow of the said William) and William Rownhale clerk, executors of the testament of the said William Rauenston.

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3 October, 8 Henry V. Copy of a Deed of grant for ever, by John Horewode, Warden of the Friars Minors of the town of Suthampton, and by the convent of the said Friars Minors, of their rights in their Conduit, Conduit-Head and Pipes, to the Mayor and Community of the said town.—A translation into English of this Latin deed (which was dated on 3 October, 8 Henry V) may be found in Speed's MS. "History of Southampton."

1 August, 9 Henry V. Deed of gift for ever, of a tenement in English Street in the town of Suthampton, by Joan formerly the wife of William Webbe deceased, to her son Henry Cayme.

1 August, 9 Henry V. Letters of Attorney, for livery of seisin, by Joan, formerly the wife of William Webbe of Bronmore, to Thomas Frelond of the town of Suthampton burgess and John Fraunceys of the same town.

4 August, 9 Henry V. Deed of gift for ever, of a tenement in English Street in the town of Suthampton, by Henry Cayme of Fordyngbrygge to John Sampson of Suthampton burgess.

— — (15th century). Letters of Attorney (sealed with the seal of the alderman of the guild of St. George of Northampton) by Thomas Saxby of Northampton merchant, to Christopher Ambrose and John Warde merchants of the town of Sothampton; empowering the said Christopher and John to demand and recover from Lewse Spenell and Antone Stapherson merchants of Jene the sum of 60*l.* due from the said Genoese merchants to the said Thomas Saxby. No date.

— 1 Henry VI. Letters of Attorney, for livery of seisin, by Robert Bercroft to Nicholas Banastre.

— 1 Henry VI. Deed of gift for ever, of the moiety of a tenement in the town of Suthampton, by Robert de Bercroft to William Nicoll of the town of Suthampton and his wife Alice.

— 1 Henry VI. Deed of gift for ever, of lands and tenements in the town and liberty of the town of Suthampton, by John Barnabe of the city of London, to Robert Malton clerk, John Boteler, Giles Thorndon, Philip Boteler, Alexander Anne, John Pydmylle and John Flemyng.

20 October, 1 Henry VI. Deed of gift for ever by John Pole Esq. of the town of Suthampton burgess to Thomas Darlyng Esq., one of the king's serjeants-at-arms, and to Joan Hanes daughter of John Hanes late of Wynchestre gentleman, of all lands and tenements &c., in the town of Suthampton, formerly pertaining to Thomas Apulby of the said town burgess, which lands and tenements, &c., he (the said John Pole) had of the grant of Thomas late Duke of Exeter, Earl of Dorset and Admiral of England.

20 October, 1 Henry VI. Deed of release and quit-claim, by John Pole Esq. of the town of Suthampton burgess, to John Darlyng Esq. one of the king's serjeants-at-arms and to Joan daughter of John Hanes late of Wychestre gentleman, in respect to lands and tenements &c. lately belonging in the town of Suthampton and elsewhere to Thomas Appulby of the said town burgess, which lands and tenements &c. the said John Pole had of the gift of Thomas late Duke of Exeter.

12 November, 1 Henry VI. The Indenture, bearing the seal of Joan Queen of England, of the agreement made between the said queen of the one part, and William Nichole mayor and the community of Suthampton of the other part, whereby in consideration of a yearly payment of four marks, which the said Mayor and community covenant

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to pay her yearly during the term of her life, Her Majesty grants to the said Mayor and community and their successors for the term of her life, that they may by their attorneys for that purpose duly appointed claim and collect and keep and put to their own use all goods and chattels &c. accruing to her said Majesty within the town of Suthampton and the precinct and liberty thereof, "virtute literarum patencium per dominum Henricum nuper Regem Anglie quartum eidem Regine confectarum." Dated at Westminster.

— 3 Henry VI. Deed of gift and conveyance for ever, of a tenement with appurtenances in English Street in the town of Suthampton, by William Reynold citizen and vintner of London, to Peter Jamys of Suthampton burgess and his wife Joan.

20 October, 4 Henry VI. Acknowledgment of John Foxholes (Clerk of the Treasury and Receiver-General of Joan Queen of England) that he has received of the Mayor and Community of the town of Southampton 60*l.*, in part payment of the greater sum of the fee-farm of their town.

11 December, 4 Henry VI. Similar acknowledgment by James Foxholes, that he has received 14*l.* 16*s.* 8*d.* in part payment of the fee-farm of the town of Southampton.

26 August, 5 Henry VI. Bond of Robert Bacon of the town of Shypdene, Master of the Crayere called *Le Peter de Crawmere* and Simon Rowland, Master of the Crayere called *La Elene de Shyllynghamhythe*, for the payment of twenty marks to John Wodeford, Steward of the town of Suthampton.

18 June, 6 Henry VI. Deed of gift by William Sedlyng of Southfarham co. Southampton, of his burgage with appurtenances in Southfarham and all his goods and chattels &c., to John Pole of Suthampton esq. Also attached to this instrument, the Letters of Attorney, for livery of seisin to the said John Pole, by the said William Sedlyng to John Bussh, John Leuerton and William Mounde.

2 April, 6 Henry VI. Deed of gift and conveyance for ever, of his lands and tenements &c. in the town and parish of Southstonham co. Southampton, by William Nicoll of the town of Suthampton burgess to Peter Osmond and William Raveneston clerks, and Robert Ovyngham of the last-named town burgess, and John Sues "de Hille juxta Suthampton."

12 February, 6 Henry VI. Deed of sale and conveyance for ever, of a tenement in English Street and four cottages in French Street in the town of Suthampton, by Alice, widow and executrix of the testament of the late John Sampson, to Thomas Godyton of the Isle of Wight gentleman.

20 March, 6 Henry VI. Deed of conveyance, of messuages and lands &c. within the liberty of the town of Suthampton, by Roger Hosewyff to William Chamberleyn and Ralph Chamberleyn.

26 April, 6 Henry VI. Deed of gift for ever, of all his messuages and tofts &c. in the town and liberty of the town of Suthampton, by William Nicoll of the said town burgess to John Sues "de Hille juxta Suthampton," Richard Stonhard of Fowy co. Cornwall, and William Rede of Lostithiel in the same county.

19 April, 6 Henry VI. Deed of release and quitclaim, in respect to certain messuages, cottages and crofts &c. in the town of Suth-

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hampton and the liberty thereof, by Sir Henry Plesyngton knt. (cousin and heir of Sir Robert Plesyngton knt.) to William Chamberleyn of the said town.

—, 6 Henry VI. Indented memorandum of divers goods and chattels on his manor of Warneford, sold by Thomas Ponyngges lord of St. John to William Nycoll of Hampton merchant.

16 December, 6 Henry VI. Bond of Alice, widow of John Sampson formerly burgess of Suthampton, for payment of 40*l.* to Thomas Godyton of the Isle of Wight.

1 April, 7 Henry VI. Deed of release and quitclaim by John Penkeston to Agnes Langstoke.

16 June, 7 Henry VI. Deed of conveyance of divers lands and tenements &c., formerly belonging to Thomas Appilby in the town of Suthampton, by Robert Longe esq., Peter Coudray esq., Robert Wayte and John Esmond the elder, to Peter Jamys, John Flemyng, Peter Osmond clerk and John Barton clerk, all of the town of Suthampton.

16 January, 9 Henry VI. Deed of release and quitclaim, in respect to a messuage in the High Street of Suthampton, by Ancelm Bennyng of Hatfeld-Bishops co. Hertford to John Crawle of Suthampton hosyer.

17 April, 9 Henry VI. Deed of gift for ever, of divers lands and tenements &c. in the town and parish of South Stonham co. Suthampton, by Peter Osmond clerk, William Reueneston clerk, Robert Honyngham of Suthampton burgess and John Sues of Hylle near the town of Suthampton, to William Nycoll of the said town burgess and Richard Knyght clerk.

— 9 Henry VI. Deed of release and quitclaim, in respect to certain shops, lands and tenements in the town of Suthampton, by William Belnayre to John Smyth vicar of the church of Froyle, Peter Osmond vicar of the church of St. Cross in the town of Suthampton, Matilda widow of Thomas Armorer, John Fayrle, Richard Turnant, John Draper, John Huse chaplain, Benedict Wycheford, John North draper, Richard Baudewyn and the executors of William Newe.

17 April, 9 Henry VI. Letters of Attorney, for livery of seisin, by Peter Osmond clerk to John Compton of Suthampton.

26 May, 9 Henry VI. Deed of gift for ever, of a tenement in English Street in the town of Suthampton, by John Crawle of the said town hosier to William Nicoll burgess and merchant of the same town.

9 June, 9 Henry VI. Deed of gift for ever of his reversionary interest in lands and tenements in the town of Suthampton and elsewhere in the county of Suthampton, by Ancelm Bennyng to John Pool esq. and William Malemeshulle cutler of Suthampton.

19 February, 11 Henry VI. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by John Pole esq. to William Nicholle of the said town merchant.

19 June, 11 Henry VI. Lease for one hundred years, at a yearly rent of a red rose, of the tower over their Water-gate and also of an adjacent tower, by the Mayor and community of the town of Suthampton to William Sopere, who is bound to keep in repair the same tower, which he has already repaired.

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—, 13 Henry VI. Deed of grant in fee-farm, of a piece of vacant land called "Mersery Lane," in the town of Suthampton, by John Emery the Mayor and the community of the said town to John Hunt esq. of the same town and his wife Alice.

—, 14 Henry VI. Letters of Attorney, for livery of seisin, by John Barnabe of London and his wife Petronilla to Nicholas Banastre and Richard Hunte.

1 June, 14 Henry VI. Letters of Attorney, for livery of seisin, by John Boteler of London and Alexander Anne to John Flemyng.

1 June, 14 Henry VI. Deed of conveyance for ever, of certain lands and tenements in English Street in the town of Suthampton, by John Boteler citizen and clothworker of London, Alexander Anne and John Flemyng, to John Barnabe citizen and clothworker of London.

14 December, 15 Henry VI. Indenture of the agreement of John Chamberleyn of the town of Southampton burgess, to accept a certain yearly rent of 4*l.* for twenty-four years, in lieu of a single payment of 24*l.*, which Walter Fetplace of the same town burgess is bound to pay him next Michaelmas.

19 September, 17 Henry VI. Lease for one hundred and twenty years of the two towers, the one over and the other near the Water-Gate of the town of Suthampton, by the Mayor and community of the said town (at a yearly rent of a red rose) to William Sopere of the said town burgess. Also, the counterpart of the same lease.

5 April, 20 Henry VI. Letters of Attorney, by William Nycoll of the town of Suthampton burgess to Thomas Peri: To deliver seisin of lands and tenements, &c. in cos. Suthampton, Cornwall and Surrey to Walter Fetplace, William Stone and John Serteyn chaplain.

5 April, 20 Henry VI. Deed of gift and conveyance for ever, of all his lands, tenements and rents, &c. in cos. Southampton, Cornwall and Surrey, by William Nicoll of Suthampton burgess to Master Thomas Forest, Robert Ayleward, Walter Fetplace, William Stone and John Certeyn chaplain.

6 August, 20 Henry VI. Deed of conveyance for ever, of a tenement in English Street in the town of Suthampton, by Master Thomas Forest, Robert Aylward and Walter Fetplace of the said town burgesses, William Stone esq. and John Serteyn chaplain, to William Johnyssons and his wife Katherine and the heirs of their bodies.

7 July, 21 Henry VI. Deed of release and quitclaim, in respect to all causes of action &c., by William Poole of Stokenesy and John Poole of the same place to John Duke of Somerset and Earl of Kendal, and to Thomas Vaghan, esquire.

11 June, 22 Henry VI. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Thomas Nycoll of the said town burgess and his wife Amice, to Joan formerly wife of Adam Merysshe and to Nicholas Holmehegge mayor and to the community of the said town.

8 May, 23 Henry VI. The award of Master William Prentyse (Doctor of Theology), Walter Fetplace (Mayor of the town of Suthampton), Robert Ayleward and William Blake, arbitrators; For the determination of controversy and strife between Thomas Whyte and Richard Thomas of the said town burgesses.

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—, 24 Henry VI. Letters of Attorney, for livery of seisin, by John Colpeys of the city of Winchester to John Burbrigge of the town of Suthampton.

—, 24 Henry VI. Deed of gift, of nine messuages &c. in English Street in the town of Suthampton, by Robert Colpeys of Winchester, to Joan wife of Nicholas Holmehegge and formerly wife of William Marche, for the term of her life; With remainder &c. to &c.

13 April, 25 Henry VI. Deed of release and quitclaim, in respect to all causes of action &c., by Richard Rownde to the Mayor and bailiffs of the town of Suthampton, and to Richard Brydde, Keeper of the Gaol of the said town.

2 May, 28 Henry VI. Deed of release and quitclaim, in respect to all actions &c., by Arnold Claysson "Magistrum cujusdam Balyngere de Armouth in Selandia vocate le *Marie knyght*," John Van Devys, John vtten Haghe, Gerard Lowe and Peter Martynesson merchants of the same balyngere, to Thomas Payne merchant of Suthampton and owner of a balyngere called the *John of Suthampton* and Philip Trumpette, Master of the last-named balyngere.

9 February, 29 Henry VI. Letters of Attorney by William Pole and John Pole to John Gunas.

15 April, 29 Henry VI. Deed of gift and conveyance, of lands and tenements in the town of Suthampton and suburbs thereof, by William Pole and John Pole of Stokegnesy co. Somerset to John Gunas of Gloucester and his wife Joan, and to John Payne and Nicholas Holmehegge of Suthampton burgesses.

20 April, 29 Henry VI. Deed of release and quitclaim, in respect to lands and tenements &c. in the town of Suthampton and its suburbs, by William Pole and John Pole of Stokegnesy co. Somerset, to John Gunas of Gloucester and his wife Joan, and John Payne and Nicholas Holmehegge of Suthampton burgesses.

18 October, 30 Henry VI. Deed of release and quitclaim, in respect to a rent issuing from a messuage in English Street in the town of Suthampton, by Thomas Ryngwode esq. to John Chamberleyn and his wife Joan.

5 December, 31 Henry VI. Coroner's Inquisition post-mortem, with verdict that the deceased John, servant of Isbrand Peterson berebrewer, came to his death by accidental drowning.

—, 31 Henry VI. Bond of John Hampton of Bromesgrove co. Worcester, for the payment of 6*l.* 15*s.* 0*d.* to Robert Belhous of the town of Suthampton merchant.

26 January, 34 Henry VI. Indenture of an agreement between the Mayor, Sheriffs, and community of the town of Coventre, of the one part, and the Mayor, Sheriff, and community of the town of Suthampton, of the other part. For the exemption of the members of each community from tolls within the bounds of the other community.

10 July, 34 Henry VI. Bond of John Estfelde and Walter Clerk of the town of Suthampton burgesses, for the payment of one hundred shillings to Peter South citizen and surgeon of London.

2 October, 34 Henry VI. Deed of assignment of all the remainder of his lease of the two watergate towers of the town of Suthampton, by William Soper to John Ingoldesbye "pro consilio suo mihi impenso."

18 January, 35 Henry VI. Deed of release and quitclaim, in respect to all causes of action, &c., and also in respect to a tenement in English

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Street in the town of Suthampton, by Walter Bacyn and his wife to the Mayor, bailiffs and burgesses of Suthampton.

25 February, 35 Henry VI. Bond of Walter Bacyn for the payment of 10*l.* to John William the mayor of Suthampton and Robert Belhouse the elder of the same town.

16 October, 37 Henry VI. Acknowledgment of Thomas Luyt, that he has received his fee of 13*s.* 4*d.* of William Nedham, late sheriff of the county of the town of Suthampton.

28 September, 39 Henry VI. Indented certificate, that Richard Symond, Master of the Ship called *Le Gracedydee* has received 31*l.* 10*s.* 10*d.* of Richard Gryme, Mayor of the town of Suthampton.

10 August, 1 Edward IV. Deed of release and quitclaim, in respect to all causes of action &c., by Thomas Bayly to William Shoteswold.

28 September, 1 Edward IV. Indented certificate, that Robert Bagworth, Mayor of the town of Suthampton, has paid to Richard Symond, Master of the ship *Gracedywe* the sum of 68*l.* 5*s.* 10*d.*, for the victualling and safe custody of the said ship for one whole year.

18 January, 1 Edward IV. Deed of gift and conveyance for ever, of thirteen messuages &c. in the town of Suthampton, by Joan late the wife of Nicholas Holmehegge late burgess of the town of Suthampton, to John Holand, William Darset, William Blake, clerks, Michael Skyllyng, John William, John Doune, Simon Patrike, William Wever clerk, Andrew Arthur clerk, John Stokker, John Borughbrigge and John Moryce, in trust "ad implendam et observandam voluntatem et intencionem mei prefate Joanne eis in scriptis imposterum declarandam." Also, the counterpart of the same indenture.

20 January, 2 Edward IV. Deed of gift, for the term of her life, by Joan formerly wife of Adam Meresshe deceased, of four several messuages in the town of Suthampton, to John William, merchant, Robert Bageworth, Richard Gryme, John Dunne, John Walker, Gilbert Cornemonger, Simon Patrik and . . . . Spring "venerabilibus viris ville Suthampton," in trust to render her the rents and profits of the premises during her life. Also, the counterpart of the same deed.

1 April, 2 Edward IV. Certificate that John Dun, Mayor of the town of Suthampton, has paid 14*l.* 14*s.* 4*d.* to Richard Symond, Master of the ship called *Le Gracedewe* for the victualling and safe custody of the said ship from Michaelmas 1 Edward IV. to the 1st day of April in the 2nd year of the same king's reign.

6 May, 2 Edward IV. The writing of the Intention and Will for pious uses of Joan, widow of the late Nicholas Holmehegge, in respect to the thirteen messuages with appurtenances in the town of Suthampton, granted and conveyed by her to John Holand and eleven others by a deed dated 18 January 1 Edward IV., running in these words,— "Noveritis quod intencio et voluntas mei prefate Johanne de predictis messuagiis, &c., &c., est videlicet quod de undecim messuagiis predictorum tresdecim messuagiorum &c. quod si Maior burgenses et communitas ville Suthampton predicte amortizare et facere velint unam cantariam perpetuam de uno capellano idoneo annuatim celebraturo apud ecclesiam beate Marie juxta Suthampton predictam pro animabus mei prefate Johanne et predicti Nicholai nuper mariti mei ac animabus parentum et antecessorum meorum infra duos annos post mortem meam extunc proxime sequentes, Quod extunc volo post hujusmodi amortizacionem sic factam, quod Maior burgenses et communitas ville predicte habeant sibi et successoribus predictis predicta

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undecim messuagia cum voltis &c. ad inveniendum annuatim capellanum predictum et ad tenendum annuatim anniversarium meum et predicti Nicholai nuper mariti mei in uno die apud dictam ecclesiam beate Marie videlicet dando annuatim Andree Arthur modo capellano mei prefate Johanne decem marcas ad terminum vite sue, et post mortem ejusdem Andree dando alii capellano idoneo sic celebranti similiter decem marcas ac ad distribuendos annuatim dicto die Anniversarii viginti sex solidos et octo denarios videlicet Maiori ville predicte pro tempore existente tres solidos et quatuor denarios, et Senascallo ejusdem ville duos solidos, Et residuum inde ad distribuendum inter presbiteros clericos et pauperes ibidem, videlicet apud dictam ecclesiam beate Marie, Et quod predicti Maior burgenses et communitas et successores sui nichil capiant de exitibus et proficuis dictorum undecim messuagiorum cum pertinenciis quousque dicta amortizacio facta fuerit." In case the said Mayor and community should neglect to amortize for two years after her death, Joan Holmehegge says, "Extunc volo quod precentor dicte ecclesie beate Marie pro tempore existens habeat dicta undecim messuagia &c. sibi et successoribus suis si amortizacionem fecerit de uno capellano &c." In case the said precentor should neglect to do her will for two years, the donor to pious uses continues, "Extunc volo quod Custos domus dei ville predicte pro tempore existens habeat sibi et successoribus suis predicta undecim messuagia &c. &c. &c." for the accomplishment of her will; it being further ordered that, should the keeper of God's House be in like manner neglectful, the donor's will is to be carried into effect by the executors of her testament. After further provision for the fulfilment of her intention in respect to the aforesaid messuages, the donor to pious uses continues, "Et de duobus mesuagiis predictorum tresdecim messuagiorum residuis situatis &c. Voluntas et intencio mei prefate Johanne est quod predicta duo mesuagia cum pertinenciis vendantur per executores meos seu executores executorum meorum, Et quod pecunia inde perveniens disponatur et distribuatur per eosdem executores pro animabus mei prefate Johanne et dicti Nicholai nuper mariti mei ac animabus parentum antecessorum amicorum et omnium benefactorum meorum prout ipsi melius et uberius viderint et sciverint expedire."

—, 3 Edward IV. Acknowledgment of Thomas Luyt, that he has received 13*s.* 4*d.* of Thomas Walker, late sheriff of Southampton.

22 March, 5 Edward IV. Letters of attorney, for livery of seisin, by John Gonas of London weaver and Joan his wife, to Walter William and William Thomas.

22 March, 5 Edward IV. Deed of gift for ever, by John Gonas of London weaver and his wife Joan, to Walter Fetiplace, John William, John Donne, Guy Cornemonger and William Hekkele of Suthampton burgesses, of lands and tenements in the said town of Suthampton, formerly the property of John duke of Exeter, and afterwards of John Pole. Also, dated on 1 April in the same year, a deed of release and quitclaim, in respect to the same lands and tenements, by the said John Gonas and his wife.

13 September, 6 Edward IV. Lease for ninety-nine years, of two pieces of land in the town of Suthampton, by the Mayor (Gilbert Cornmonger) and the community of the said town to John Walker merchant of the same town.

8 January, 6 Edward IV. Deed of release and quitclaim, in respect to the thirteen tenements conveyed to trustees for the execution of Joan

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Holmehegge's last will, by the Master, brethren and sisters of St. Julian's Hospital to the aforesaid trustees.

12 December, 8 Edward IV. Certificatory Letters, touching the petition made to the Mayor bailiffs and burgesses of Suthampton by the tailors of the said town, and the consent of the same Mayor &c. to the said petition, whereby the tailors of Suthampton sought for the protection of their trade against the encroachments and competition of foreign tailors. After stating that heretofore their gains have been "wonte to rise of the strange people comynge into the poorte of the saied towne as in carryckes galleys shippes of Spayne, Portingall, Almayne, Flanders, Zelonde, and others in their vyages, ther beynge for their use to cutte their clothe by the handes of the taylors of the same town," John Renande (Roeffe Taylor) and the petitioners of the Craft of Tailors of Suthampton complain that to their injury "Nowe of late in dyvers carrickes galleyes and in shippes of strangers have come taylers of divers nacions and sondre in them by divers tymes the which tary and abyde within the carrickes galleyes and shippes within the same poorte &c."

10 January, 8 Edward IV. Deed of release and quitclaim, in respect to a tenement in English Street in the town of Suthampton, by Joan Tilby widow, William Saunderson, Esq., Oliver Sherd, and his wife Joan, to John James of the said town burgess.

31 August, 9 Edward IV. Lease for ninety-nine years, of certain vacant lands "apud le West Kay" and certain other adjacent lands, by Robert Bagworthe (the Mayor) and the whole community of the town of Suthampton to John William of the same town burgess.

20 January, 12 Edward IV. Bond of Thomas Dun grocer for the payment of 10*l.* to Nicholas Baker esquire, and David Restell yeoman.

16 September, 14 Edward IV. Bond of William Kerver citizen and merchant of London, Christofer Ambrose of the town of Suthampton merchant, Michael de Chyperell of Florence merchant, and Gabriel de Leorsy and Paul Theople of Venice merchants, for the payment of 40*l.* to Geoffrey Moumbray of Suthampton sheriff.

1 April, 16 Edward IV. Deed of gift for life, of a yearly rent of twenty shillings, by the Prior and Convent of St. Denis near Suthampton to Willian Gunter of the said town merchant.

1 May, 17 Edward IV. Deed of release and quitclaim, in respect to two Watergate Towers &c. in the town of Suthampton by John Ingoldesby to the Mayor bailiffs and community of the said town.

11 September, 17 Edward IV. Letters certificatory of the Grant of Powers and Privileges, made at their humble petition to the Cordwainers of the town of Suthampton by the Mayor bailiffs and burgesses of the same town.

31 October, 18 Edward IV. Letters of attorney, for taking livery of seisin, by Robert Maudite, son and heir of Alice Maudite, to William Shoteswold and John Filder.

31 October, 18 Edward IV. Deed of Gift and conveyance for ever of divers lands and tenements &c. both within and without the parish of Suthstoneham co. Suthampton, by Robert Mawdyte (son and heir of Alice Mawdyte, daughter and heir of Oliver Nichol, who was brother of William Nicholl formerly of Suthampton Burgess) to John Ludlowe, John Walker, Richard Gryme, Walter Feteplace, Robert Bluet and Michael Luke.

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2 December, 18 Edward IV. Letters of Evidence, touching the testament of William Nycoll by John Ingler, mayor of Newe Saresbury: "To all trewe Christien people whiche these present lettres shall see or here redde John Ingler Mayre of the Cite of Newe Saresbury sendeth dewe recommendacion in our Lorde God everlasting, and forasmuche as that hit is nedefull and meritory to every trewe Christien Manne to bere wytnesse of trouthe so that Allway trouthe may be preferrid and every untrewe matier leyed apart To youre Universiteze grete saduesses and Wysedomes be it knowen shewed and undrestonden That one Thomas Pyrie oure faithfull Brother a Cocitezene of the Cite aforeseid beyng with us a Manne of good name fame condicion openyon and of feithfull delyng honeste conversacion and governaunce the making herof personally apperyng before me the seid Mayre and other that is to sey William Roket marchaunt, William Shirwode, John Gamelyn mercers and William Wynne Notary Imperialle Cocitezeins of the foreseid Cite Within the seid Cite as in the Mansion and dwellyng place of me the seid Maire than and there the seame Thomas Pyrie of his owen fre wylle be fore us shewyng, and declaryng in maner and forme as herafter folowyth and ensueth, First that he was servaunt with one William Nycoll sumtyme Burges & Merchaunt of the Towne of Suthampton in the tyme of the decesse of the same William & longe tyme before, And that the said William beyng in his helth and good mynde then commaunded the same Thomas to bringe to hym into his parle in Suthampton clene papir & penne & Inke and bygynne to write the forme of the begynnyng of his testament the whiche the same Thomas so dide & ferthermore commaunded hym to write particuler legatis as well to Churches & Places of Religion as to private persones servauntes & other named by the same William and forth with after to write his devise of disposicion of the residue of his godes before not quethed equally to be departed betwix Julian his wyfe and Richard Thomas his kynnesman then beyng his factour & purser of his Shipp named the *Marie of Hampton* beyng in a bay viage, and that so doon he commaunded the seid Thomas to wryte his devise & disposicion of alle his landis and tenementes &c. that he att that day hadde within the Town and Suburb &c. of Southampton & ellis where within the Realme of Englonde & the landis & tenementes &c. he devised to be departed assone after his decesse as they godely myght in too parties by even porcions Whereof he devysed the one partie to the seid Julian his Wyfe to have to hir terme of her lyfe yeldyng therfore Rentis and Services dewe &c. And also beryng therof half of an annuell charge for a prestes wagis and of an anniversarie or obite in the parisshe churche of Holy Rodes in Southampton duryng her lyfe, and after her decesse the said half of landis & tenementes &c. shulde remayn to the seid Richarde and to the heires of his body lawfully begoten for ever yeldyng therfore rentes & service due &c. And also beryng therof the said halfe of the annuell charge to the prest and of the anniversarie or obite in the churche a forseid for ever and the other partie of all the said landis & tenementes &c. the said William Nicoll devised to the same Richard To have & to holde to hym & to the heyres of his body laufully begoten for ever yeldyng therfore Rentis and services due &c. And also bering therof the other halfe of the seid Annuell charge to the seid preste and obit or Anniversarie in the seid Churche for ever, and yf it hapned the seid Richard to decesse without suche heir of his body begoten that than the said parte of all the said landis & tenementis &c. so devised to the said Richard and also the said other parte of all the said landes and tenementes &c. devised to the said Julian when they be hapned

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to falle after hir decesse shulde holly remayne to Jone the wyfe of Thomas Payne of Loo in Cornewalle Suster of the said Richard & to the heyres of her body lawfully begoten for ever yeldyng therfore rentis and services due &c. and also bering of and for alle the seid londis and tenementes &c. the hole charge Annuelle to the Prest & Anniversari or obit in the Churche aforesaid as it is above rehersed for ever, And if it hapned that the seid Richard or his said heyres or elles the said Johane or her said heyres to fayle and not bere the said charges of Annuite to the Preist or of the Anniversary or obite in the said Churche by an hole yere that than alle the said londes and tenementes with the appurtenaunces shulde holy remayne to the Mayre and Burgeis of the Towne of Suthampton and to theire successoures for ever, and yf it hapned to the seid Johane to decese withoute heyres of her body laufully begoten that then all the said londes and tenementes with the appurtenaunces shulde holy remayne to the said Maire and Burgeis of the Towne of Suthampton aforeseid, and to theyre successours forever, yeldyng therfore rentes and services dewe and of olde tyme accustumed and also beryng the seid hole charge to the Preiste and Anniversary or Obite in the said Churche forever, and if it hapned the said Mayre & Burgeys to faile and not bere the said charge to the Preiste and Anniversary or obite in the said Churche as is above rehersed by an hole yere, that then alle the said londes and tenementis with the appurtenaunces shulde holly remayne to the Priour & Convent of the Monastery of Seint Denys be side Suthampton & to their successores for ever yeldyng ther of rentis and services due &c. And also beryng the seid charge of the Prieste and Anniversary or obite in the seid Church of Holy Rode for ever, And executors of his said testament he made the above wryten Julian & Richard. Item after this thus doon the said William Nicoll become dedly seke so that his Fisicions given him over for a ded man. And then it was remembred by Sir John Serteyn and other beyng aboute the soid William Nicoll howe that his manor of South-Stonham with his pertinences laye withoute Cite or Borugh in the countie at large, and if the seid William Nicoll decessed seased therof that then his brother's doughter called Alice, the whiche was weddyd to a bondeman at Twyford, sholde have bene heyre to hit &c. Therfore it was thought to them behovefull to make a dede of feoffament & enfeoffe certein personis in alle the said londis & tenementis &c. And so the seid Thomas Pyrie was commaunded by the seid Julian Sir John Serteyn & William Stone to make a dede ther. . . . Maister Thomas Foreste Walter Fetplace Robert Aylward William Stone and Sir John Serteyn preste and a lettre of Attorne to the seid Thomas Pyrie to deliver season in the name of the seid William Nicoll to the seid feoffees of & in all the seid londes & tenementes, and when the seid Thomas Pyrie hadde write the seid evidences & putt wex to them & brought them to the seid William Nicolles bedside and redde them to hym openly the same William Nicolles wittes were past away and mynde allso so that he nother herd sey spake nor made any signe or tokene therto to any knowleiche, But the seid Thomas Pyrie toke the hande of the seid William Nicoll out of the bedd and so ensealed the soid evidences with the seall of the seid William Nicolle & put his hande in to the bed agen and forthwith the seid William Stone and Thomas Pirie went to South Stonham aforseid and there the same Thomas brought the seid William in possession of the seid manour with his pertinences by vertue of the seid evidences and so came agen to Suthampton, and ther brought the same William Stone and other of the Cofeoffees in possession of the tenement of the seid William Nicoll Wherin John Flecchcr then

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dwelled In the name of all the landis & tenementes that passed by that dede within the town of Southampton suburb' &c. of the same and in the same day that the seid evidences were made & ensealed & lyvery of season taken as hit is above seid, the forseid William Nicoll decessed and passed out of this world, And in Witnesse that the premisses were behadde & doon in the manere and forme aforeseid the seid Thomas Pyrie hath in presence of me the seid Maire put herto his sealle and for more evidence & credence of trouth the seal of myne office of Mairalte of the seid Citee of New Sarum at the instance of the seid Thomas Pyrie is allso putte herto. Geven att Sarum in the ii^{de} day of December in the xviijth yere of the regne of Kynge Edwarde the iiijth.

28 July, 20 Edward IV. Deed of release and quitclaim, in respect to the Manor of South Stoneham co. Suthampton and lands and tenements in the town and liberty of the town of Suthampton, by John Ludlowe, John Walkar, Richard Gryme, Walter Fetyplace and Michael Luke to William Langherne.

18 September, 22 Edward IV. Lease for thirty years, of a "celarium cum muris lapidiis" with a loft built over the same, in French Street in the town of Suthampton, by the Mayor, bailiffs and whole community of the said town, to John Walkar of the same town burgess and merchant.

29 July, 1 Richard III. Lease for sixty years, of a tenement with appurtenances in English Street in the town of Suthampton, by the Mayor bailiffs and burgesses of the said town to Ralph Picarde of the same town merchant.

1 August, 1 Richard III. Deed of conveyance for ever, of eleven messuages with vaults, gardens, &c. by William Wever clerk, Andrew Arthur clerk, and John Boroughbrigge of the town of Suthampton burgess, to Walter William, John Ludlowe, William Gunter, Thomas Reynold, Lewis Eynes, Walter Fetiplace, Roger Kelsale, Vincent Tehy, Thomas Smyth, Gabriel Howley, William Hekley mercer. Massie Salman and Thomas Marmorye.

31 January, 2 Richard III. Letters of Attorney by William Slifild, late Treasurer of Calais, to John Walker of Suthampton merchant, Anthony Spynell, Benedict Spynell, Richard Botiller of Chichester co. Sussex, and Thomas Yoxhille of Portesmouthe.

25 February, 2 Richard III. Indenture of an Agreement that, if Thomas Rogers of London (gentleman and clerk of all the king's ships), and John Long of London citizen and brewer, hold Vincent Tehy, Richard Harewode, Gabriel . . . and Thomas Dymok harmless in their own names, and not as Mayor, sheriff and bailiffs of Suthampton, in respect to certain 1,086 sacks of wool, a certain writing of statute merchaunt, whereby the said Thomas Rogers and John Long were bound to pay 1,200*l.* to the said Vincent, Richard, Gabriel and Thomas shall be void.

12 April, 8 Henry VII. Lease for sixty years, of a messuage and two shops in English Street in the town of Suthampton, by Thomas Dymok the Mayor and the whole community of the said town to Stephen Ite of the same town.

10 March, 11 Henry VII. Lease for sixty years, of a garden in Bull Street in the town of Suthampton, by Thomas Langton bishop of Winchester and the Keeper brethren and sisters of God's House of the town of Suthampton, to the Mayor, burgesses and community of the said town.

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3 April, 11 Henry VII. Lease for eighty-four years, of a certain tower over "Le Watyrgute" and of an adjoining mansion &c., with licence to build, by the Mayor, bailiffs and community of Suthampton to Richard Palshid of the same town burgess.

11 April, 12 Henry VII. Lease for sixty years, of a piece of land with a stable and barn &c. by the Mayor, bailiffs and burgesses of the town of Suthampton to Cristofer Ambrose of the same town burgess.

26 April, 13 Henry VII. Lease for sixty-eight years by Cristofer Ambrose, Mayor of the town of Suthampton, to Richard Palshid of the said town burgess, of a certain piece of land, with a stable and barn, &c., leased to the said Cristofer Ambrose by the community of the aforesaid town.

30 January, 18 Henry VII. The Confession (*i.e.* Depositions) of divers old men touching a matter of variance and controversy between the Town of Suthampton and the Hospital of St. Julian of Suthampton, otherwise called Goddishous'.

6 February, 20 Henry VII. Deed of release and quitclaim, in respect to the Salt-marsh within the county of the town of Suthampton, by the Warden brethren and Sisters of St. Julian's Hospital, otherwise called Goddishous, to the Mayor bailiffs and burgesses of Suthampton.

6 February, 20 Henry VII. Deed of gift and conveyance for ever, of all that marsh near Icchyn Fery, by the Master brethren and sisters of the Hospital of St. Julian "infra villam Suthampton," to the Mayor bailiffs and community of the said town.

6 February, 20 Henry VII. Deed of release and quitclaim, in respect to rents issuing out of tenements, &c. in the town of Suthampton, by the Mayor bailiffs and burgesses of the said town, to the Warden brethren and sisters of St. Julian's Hospital.

20 February, 20 Henry VII. Deed of release and quitclaim, in respect to the Little Marsh with its appurtenances, lying near Icchyn Fery near the town of Suthampton, by Cristofer Baynbrigge and the brethren and sisters of the Hospital of St. Julian, commonly called Goddishous, to the Mayor bailiffs burgesses and whole community of the said town.

28 October, 20 Henry VII. The Award of John Kingesmille "oon of the kinges Justices of the Commen place," and Rychard Broke gentleman, for the determination of variances and strife between the Master brethren and sisters of the hospital of Goddishous in Suthampton of the one part, and the Mayor and community of the said town of the other part.

20 January, 23 Henry VII. Indenture (paper) of an agreement between the Mayor burgesses and community of the town of Suthampton of the one part and the Mayor and burgesses of the town of Lemyngton of the other part, for the settlement of differences between the two towns respecting customs.

14 March, 23 Henry VII. Bond of Robert Maller mayor, John Rogers merchant, Robert Tanner tanner and merchant, Richard Kente mercer and Robert Quyck weaver, of the town of New Lymyngton, for the payment of 20*l.* to Robert Bisshop the mayor of the town of Suthampton and to the bailiff of the same last named town.

16 December, 23 Henry VII. Deed of release and quitclaim, in respect to a messuage and a piece of vacant ground in French Street in the town of Suthampton, by the Master brethren and sisters of St.

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Julian's Hospital within the said town, to the Mayor and community of the same town.

20 August, 7 Henry VIII. Indenture of agreement (touching Waterworks) between the Mayor bailiffs and burgesses of the town of Suthampton of the one part and John Flemyng of the same town esquire of the other part, whereby the said Mayor &c. "graunted att the instance of the saide John Flemyng that ther shall be a sospre otherwyse called a small pippe of leede made with a stoppe conveyde owte of the greate pipe oute of the condute of the said towne at the Suthwest corner of All Halows church within the said town of Suthampton unto the sayde church walle and ther to issue and have course oute att a cocke of brasse to be made stanch att the costes and charges of the saide John Flemyng and hys assignes bytwyxte Allhallowtide and the begynnyng of Auguste, so that therbe sufficient water att alle the other condutes within the saide towne and no otherwyse;" and it was covenanted by the said John Flemyng esq. that he and his assigns would "inclose the place where the said sospre otherwyse namyd a small pippe with a stoppe shall be conveied owte of the greate pipe of the condute with ii lockes and keyes, of the which ij lockes and keyes the Wardens of the Freeres Observauntes and his successours have the kepynge of the oon key, becawse the conduyte fyrste moved and came by the said freers, and the Meyr of the forsaid towne for the tyme beyng to have the kepyng of the other key."

1 June, 7 Henry VIII. Deed of the Grant and Conveyance, of the "hedde of a Waterspryng in Lovery Meede," by John Flemyng of the town of Suthampton esq. to the Mayor bailiffs and burgesses of the town of Suthampton.

—, 9 Henry VIII. Indented Certificate of the Petition to the Mayor bailiffs and burgesses of Suthampton in their Guildhall assembled, made by the bakers of said town, praying for municipal authority to form themselves into a guild with powers of self-government in matters relating to their mystery and craft; And Also of the Consent of the said Mayor, &c. to the same petition.

19 May, 14 Henry VIII. Bond of Sampson Thomas of Suthampton merchant, in the sum of 20*l.* to the king's use, for the bringing forth from time to time of John Antyll of Suthampton hat-maker, and his goods valued at five marks; the said John having been born under obeisance to the French King.

19 May, 14 Henry VIII. Bond of Henry Hurdes of the town of Suthampton tailor, in the sum of 10*l.* to the king's use, for the appearance and good behaviour of Nicholas Demerall skinner, born under obeisance to the French king.

19 May, 14 Henry VIII. Bond of John Pers of the town of Suthampton merchant and Peter Rykkard of the same town cordwainer, in the sum of 40*l.* to the king's use, for the appearance and good behaviour of Arthur Julian of the said town cordwainer, born under obeisance to the French king.

19 May, 14 Henry VIII. Bond of Henry Savory and Richard Havart, in the sum of 20 marks to the king's use, for the appearance and good conduct of the said Henry Savory, born under the French king's obeisance.

20 May, 14 Henry VIII. Bond of Thomas Vawe clerk and John Favour of the town of Suthampton merchants, in the sum of 20*l.* to the king's use, for the appearance and good behaviour of the said Thomas Vawe.

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20 May, 14 Henry VIII. Bond of Richard Mershe of the town of Suthampton, in the sum of ten marks to the king's use, for the appearance and good behaviour of John Melon.

1 June, 14 Henry VIII. Bond of Thomas Husee merchant, John Peeis merchant, and John Kyllek tailor, all three of the town of Suthampton, in the sum of forty marks, for the appearance and good conduct of the said John Kyllek.

20 January, 21 Henry VIII. Deed of gift and conveyance for ever of a rent issuing out of messuages in French Street, and also of a tenement and certain pieces of land in the town of Suthampton, by John Mille to the Mayor bailiffs and burgesses of the said town.

27 February, 21 Henry VIII. Bond of Henry Huttoft of the town of Suthampton, for the payment of 10*l.* to the Mayor bailiffs and burgesses of the said town.

20 August, 21 Henry VIII. Deed of sale and conveyance, of three tenements with gardens &c. in the town of Southampton, by Constantine Darell of Collyngbourne co. Wilts. esq., to John Mille of the said town gentleman. Also, dated 12 June, 21 Henry VIII., Deed of sale and conveyance, of a messuage with a garden in Eststrete in the town of Suthampton, by the same Constantine Darell esq. to the same John Mille gent. With deeds of release and quitclaim, in respect to the same properties, by the same Constantine Darell to the same John Mille.

12 September, 21 Henry VIII. Deed of gift and conveyance, of tenements &c. in the town of Suthampton, by Constantine Darell esq. to John Mille, Richard Colnett and Henry Moleneux "ad usum predicti Johannis Mille."

25 October, 32 Henry VIII. Lease for fifty years, of a tenement in English Street in the town of Suthampton, by the Mayor bailiffs and community of the said town to Thomas Mucklowe the elder, yeoman.

24 May, 4 Edward VI. Bond of the Mayor, bailiffs and burgesses of the town of Suthampton, in the sum of 1,000*l.* to the king, for payment of arrears of the fee-farm of their said town.

12 June, 5 Edward VI. Lease for four successive terms of 99 years each, by John Griffith clerk M.A. and vicar of the parish church of Holy Roodes in the town of Suthampton, to Robert Evans of the same town merchant, of the Vicarage House of the said parish-church, with other edifices appurtenant. Also, the counterpart of the same lease for four successive terms of ninety-nine years each.

26 June, 6 Edward VI. Deed of gift and conveyance for ever, by Adam Meresh of the town of Suthampton burgess, of all his goods and chattels in cos. Suthampton, Dorcestre and Suthsex, to Thomas Cook rector of the church of St. Laurence in the said town, and to Robert Hayne and Richard Beel of Hulle.

26 September, 2 & 3 Philip and Mary. Indenture of the Grant by the Mayor bailiffs and burgesses of the town of Southampton, to William Fevorell, Thomas Hoyskyns, Thomas Forwarde, William Bowtrell, Hugh Sharpe, Roger James and John Harryson, and the other butchers of the said town, of authority to constitute themselves into a Company or Guild, with powers of self-government in matters touching their mystery and craft.

17 March, 3 & 4 Philip and Mary. Certificate of Sir Thomas Offley knt. (Mayor) and the aldermen of London, under the mayoral seal of the said city, that the bearer thereof, William Bentley of London citizen

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and clothworker, is as a citizen of London free of toll throughout the realm.

28 August, 1 Elizabeth. Certificate addressed to the Barons of the Exchequer by John Gregorye, Mayor of the town of Suthampton, Thomas Pace esq., William Knight and Peter Smithe, customers; Commissioners appointed to enquire and take order respecting the discharging and shipment of all kinds of merchandize at the port of the said town.

21 September, 1 Elizabeth. Letters from Thomas Beadon, B.D., Robert Weston, D.C.L., and Robert Nowell esq., Her Majesty's Commissioners in matters ecclesiastical in the cities and dioceses of Rochester, Canterbury, Chichester and Wynchester, to Edward Willmet (mayor), John Gregory, Thomas Bekingham, Richard Buteler, John Cappelyn, John Stavelen, Nycholas Caplyn, and William Stavelen of the town of Suthampton gentlemen; Giving directions amongst other things, as to the use of an accompanying Form of Recantation of Papistical Tenets &c. Also, attached to these Letters, the Form of Recantation mentioned therein.

13 February, 5 Elizabeth. Lease for sixty years, of a tenement with appurtenances in the High Street of the town of Suthampton, by the Mayor bailiffs and burgesses of the said town to William Hatton of Ningewood in the Isle of Wight yeoman.

26 January, 7 Elizabeth. Lease for sixty years, of a tenement in the High Street *alias* English Street in the town of Suthampton, by the Mayor bailiffs and burgesses of the said town, to Thomas Torner of the same town "grosser."

20 April, 7 Elizabeth. Exemplification of the Bond (and the condition thereof) of the Mayor bailiffs and burgesses of the town of Suthampton, in the sum of 40*l.*, to Laurence Sendye of the said town fishmonger, and to the Warden fellows and scholars of the College of St. Mary of Winchester, and to the Provost of Queen's College Oxford, and to the Warden brethren and sisters of St. Julian's Hospital within the town of Suthampton.

5 November, 7 Elizabeth. Indented Certificate that, in accordance with letters from Lords of the Council, the Mayor, bailiffs and burgesses of Suthampton have paid 28*l.* to Symon Myldred, servant to John Baptiste de Sambitores, merchant of Spayne, dwelling in London.

8 March, 8 Elizabeth. Lease for thirty-one years, of a tenement in French Street in the town of Suthampton, by the Mayor bailiffs and burgesses of the said town to John More baker.

29 April, 9 Elizabeth. The Award of William, Earl of Pembroke, Steward of Her Majesty's Household, for the determination of controversy and strife between the Mayor bailiffs and burgesses of Southampton of the one part, and Benedicte Spinola of the city of Jean gentleman and free citizen of England of the other part, in respect to dues for and forfeitures on Malmesy and Muscadell wines, brought into the said country otherwise than by the port of Southampton.

23 September, 9 Elizabeth. Bond, in the amount of forty marks, of Sir Francis Dawtrey of Portiswodde knt. and Richard Knight of Portiswodde gentleman, for the payment of an annuity for life of forty shillings, to Alice Bossher of the town of Suthampton.

18 July, 14 Elizabeth. Bond of John Newman of Whitwell in the Isle of Wight yeoman, in the sum of 40*l.* (for his good behaviour in matters of religion), to the Bishop of Winchester.

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13 April, 18 Elizabeth. Lease for forty years, of a tenement in the town of Southampton, by the Mayor bailiffs and burgesses of the said town to Andrew Studley of the same town, mercer.

4 October, 18 Elizabeth. Lease for fifty-one years, of the Town Ditches, with the fishing thereof &c., by the Mayor bailiffs and burgesses of the town of Suthampton to Robert Knaplocke of the same town Notarye Publique.

16 January, 23 Elizabeth. Certificate of John Robyns mayor of New Sarum and John Venarde J.P. and gentleman, to the good character and behaviour of William Pratt and Katheryn Ayhyer, now his wife, during their residence in the said city.

14 August, 31 Elizabeth. Lease to farm for twelve years, of the money accruing by way of forfeiture under the Sweet Wines Grant, by the Mayor bailiffs and burgesses of Southampton to the Rt. Hon. Robert the Earl of Essex.

12 February, 34 Elizabeth. Writ of the Court of Exchequer (touching certain loads of wool belonging to James Bysse) addressed to the Mayor, bailiffs and burgesses of the town of Southampton.

26 June, 37 Elizabeth. Indenture of an agreement between Roger Pedley of the town of Suthampton yeoman of the one part, and the Mayor bailiffs and burgesses of the same town of the other part. For the construction of water-works for the town's service.

1 July, 40 Elizabeth. Lease for forty-one years, of the Brewers' Tower, parcel of the walls of the town of Suthampton, by the Mayor bailiffs and burgesses of the said town to Walter Feverell of the same town butcher.

20 December, 14 James I. Indenture of the petition of the clothworkers of the town of Southampton to the Mayor bailiffs and burgesses of the said town, for authority to constitute themselves into "a settled Company and Fellowshipp of the Art and Mistery of Clothworkers," and also of the consent of the said Mayor bailiffs and burgesses to the petition, so preferred by Lionell Austin, William Suffield, John Appleton, Nicholas Wheate and other cloth-workers, Who represent in the preamble to their petition, that they and their fellows "doe use the said Art or Mistery within the said towne, vizt. rowinge, burlinge, fulling, dressinge and pressinge of kerseys, serges and other drapery, keepinge both journymen and apprentices for the doinge thereof."

20 December, 14 James I. Indenture of the petition of the Seargeweavers and Woolkemmers of the town of Southampton to the Mayor bailiffs and burgesses of the said town, for authority to constitute themselves into "a settled Company and Fellowshipp of the said Artes and Misteries of sargemakers, sargeweavers and woollkemmers;" and of the consent of the said Mayor &c. to the said petition, preferred in behalf of themselves and their fellows by John Clungeon, Isacke Herrevill, Andrew Harris, Richard Goare, Roger Morse, Henry Ayres, Daniel Hersaunt, Richard Allen, Robert Toldervey, William Peare, and twenty-eight others.—Also, a duplicate of the same Indenture.

20 March, 18 James I. Indenture of an agreement between the Mayor bailiffs and burgesses of the town of Suthampton of the one part, and Arthur Baker of the said town alderman of the other part, for the construction of Waterworks for the use and service of the said town.

1 May, 22 James I. The Award of Henry Sherfield, for the determination of controversy between the Mayor bailiffs and burgesses of the

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town of Southampton of the one part, and certain wine merchants of the same town of the other part, on questions touching the ancient grants to five several Religious Houses, of five tons yearly of Prisage Wines out of wines landed at the port of the said town.

12 October, 20 Charles I. Bond of Ellis Antram of the town of Suthampton, and of Richard Biscombe and Samuel Downes of the same town, in the sum of 100*l.*, to the Mayor bailiffs and burgesses of the said town, for the good conduct of the said Ellis Antrim in the office of a Serjeant-at-Mace.

10 October, 24 Charles I. Indenture of an agreement, between the Mayor bailiffs and burgesses of the town of Southampton of the one part, and Thomas Mason, Richard Bellchamber and James Legay of the same town of the other part: For the appointment of the said Thomas, Richard and James to be the deputies of the said Corporation for gathering forfeitures &c. under the Sweet Wines Grant.

28 May, 25 Charles I. Draft of an agreement, between the Mayor bailiffs and burgesses of the town of Suthampton of the one part, and Richard Maior gentleman (executor of the last will and testament of his father John Maior deceased), Thomas Wulfris, William Lovington and William Wolgar of the other part.

21 September, 12 Charles II. Orders made by Sir Moundeford Bramston LLD., Chancellor of the Bishop of Winchester. For the determination of controversies between the Mayor of the said town and the Vicar of the Church of Holy Rhoods.

4 June, 20 Charles II. Indenture tripartite, of an agreement between the Mayor &c. of the town of Southampton of the first part, Major Dunch of Baddeley of the second part, and John Steptow and others of the third part; of the Assignment of a house &c. in French Street in the said town for St. John's Hospital.

4 June, 25 Charles II. Letters of attorney (for acknowledging a certain indenture in the Court of Chancery, with a view to its enrolment there) by the Mayor bailiffs and burgesses of Southampton, to John Herne and John Brockett of the Middle Temple gentlemen.

20 August, 25 Charles II. Indenture of an agreement between the Mayor bailiffs and burgesses of Southampton of the first part, Major Dunch of Baddesley of the second part, and the Warden and Poor Children of the Hospital of St. John the Baptist of the said town of the third part: For the endowment of the said hospital with an annuity of 40*l.*

4 September, 25 Charles II. Precept of the Court of Chancery, directed to William Higgins gentleman, For the execution of a decree of the said Court, touching the provisions for charitable uses of the last will and testament of Nathaniel Mille deceased.

29 September, 29 Charles II. Indenture of an agreement between the Mayor bailiffs and burgesses of the town of Southampton of the first part, and John Pinhorne schoolmaster of the Free School of the said town of the second part, and Edward Reynolds D.D. and his mother Mary Reynolds (widow and executrix of Edward Reynolds late Lord Bishop of Norwich deceased); for assuring to the Master of the said school an additional income of 5*l.* a year.

31 May, 2 William and Mary. The will (with probate, granted on 8 December 1690 A.D.) of Robert Thorner of Baddesley co. Southampton, gentleman.

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Besides the Municipal and Private deeds mentioned in this catalogue, there are preserved in the Muniment Room of the Town of Southampton thirty-eight bundles of extinct leases, of the 16th 17th and 18th centuries, that afford no matters falling within the scope of the enquiries of Her Majesty's Historical MSS. Commissioners.

(*d.*) Letters and Loose Memoranda.

— Henry VI. Letters under Henry the Sixth's sign manual and signet to "our trusty and wel beloved the Maire, Aldermen and Baillies of our Towne of Southampton and their Bretheren." Trusty and Welbiloved We grete you wele, and late you wite that right tedious compleynt hath been made unto us by our Welbiloved subgiet John Collis, Poursuyvant unto oure right entierly welbiloved Uncle the 'Duc of Bedford, of ful grevous wronges injuries and hurtes, surmised to be by your meanes unto hym doon ayenst all right and conscience in a matier to be determyned amongest you, betwene hym and oon Robert Wilson of our Town of Southampton, as by this supplication unto us late presented which We sende unto you herin closed it may appere at large, Wherefore We fully entending to see justice and equite ministred unto every our subgietes in all thair matiers and causes, Wol and charge you that peysing thurghly in your mynde What ye ought to doo herin of duetie, ye demeane you in such wise from hensforth in this matier aneinst our said subgiet in shewing unto hym playne and undelayed right witnesse that for lak therof he be not constrayned to poursue unto us for othre remedy in that behalve, Which if in your defaultes he be driven eftsones to doo, it wol sowne greately to our displeasur that eny such default or negligence shuld be founde in yow, and thereupon cause us to put othrewise our handes of help for reformacioun of the same. Yeuen vnder our signet at our Citie of Winchestre the secunde day of Octobre.

35 (?) Henry VI., July 20; London. Letters under two signets encircled with rush rings. We wolle and charge in the kynges name alle manner men that they in no wise vex trouble ne greve the Towne of Suthampton ne no persone ne persones therof their godes ne catalles contrarye to the kynges lawes upon peyne of deth, and if eny persone or persones eville disposed wolle presume to attempte ayenste the seid Towne or eny persone or persones therof, their goodes or catalles contrarye to the kynges lawes and this oure commaundement, Than We Wolle charge and in the Kynges name commaunde the Mayre Shirref Baillyes Constables and all othir officers within the said towne and everyche of theym that they withoute any delay do the said Mysdoers to be taken and commytted into warde, ther safly to be kepte into the tyme that they be laufully delyvered after the lawe of the londe, and that they faylle not to execute this oure commaundment as they wille . . . . to the Kyng . . . verain lorde and unto us at theire pereille. Yeven under oure signettes atte London the xx day of Juyll the xxxv. . . . . of oure soverain lord . . . . nry the Sext after the Conquest.

10 Edward IV., May 7; Suthampton. Privy Seal Writ of Mandate and Warrant addressed to the Mayor and Sheriff of the town of Suthampton. Edward by the grace of God King of England &c. We wol and charge you that of the money comyng and growing towardes us of the fee ferme of our said towne ye content and paye unto John Peyntour and his iij felowes by us assigned for the keping of oure Shippe called the *Grace-a-Dieu* to every of theim after the rate of xiiij*d.* by the weke

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for mete and drynke, to the said John Peyntour for his wages after the rate of iiij*d.* by daie, and to every of his said iij felowes after the rate of xii*d.* by the weke for their wages, and for their house-rent xiij*s.* iiij*d.* With allowaunce resonnable for reparacion of the said hows unto tyme ye have otherwise from us in commaundement, And thies oure letters shalbe your suffisant Warraunt and discharge in that behalve. Yeven under our Privee Seel at oure Towne of Suthampton abovesaid the viith daye of Maye, The xth yere of oure Reigne.

11 Edward IV., November 17; the Castell of Farnham. Privy Seal Writ of Mandate and Warrant addressed to the Mayor sheriff and bailiffs of the town of Southampton for the time being. Edward by the grace of God King of England &c. For as moche as we in consideracion of the trewe and feithfull service that our Welbeloved Thomas Raynold of Suthampton aforsaid hath divers wises doon unto us, and in recompense of the grete losses and charges that he hadd and susteyned for our sake, the tyme he was Shierief of Suthampton abovesaid, have yeven unto hym xx*li.* to be taken of the fee ferme of oure said Towne by youre handes, We Wol and charge you that of suche sommes of moneye as be due unto us and in your handes of the said fee ferme and that shalbe due and next comme to youre handes ye contente and paye onto the said Thomas the said xx*li.* And theis oure letters shalbe unto you herin suffisaunt Warrant, and that by the same We Wol ye have therof due allowaunce in youre accompt. Yeven under oure Prive Seel at the Castell of Farnham the xvijth day of Novembre the xjth yere of oure Reigne.

— Edward IV., November 17; the Castel of Farnham. Letters under Edward the Fourth's sign-manual and signet to the Mayor of Southampton. Trusty and welbeloved We grete you wel, and where We late wrote unto you that ye shulde contente and paye certain duetes unto John Peynter purser of the *Grace Dieu*, according to our letters of prive sele to him graunted for the same, ye as it is said denye to performe our plesur in that behalve, bycause ye were commanded by our other letters of prive sele of late time direct unto you, that ye shulde not make contentacion of eny fees wages or annuities, Whiche notwithstanding We Wol and straitly charge you that incontinent upon the sight herof alle delayes and excuses sette apart, ye contente and paye unto the said John Peynter alle suche sommes of money as is due unto him and his felaship by reason of oure graunte aforesaid as ye entende to do us plesur. Yeven under oure signet at the Castel of Farneham the xvij day of November.

— Edward IV., December 10; Paloys of Westminster. Letters under Edward the Fourth's sign-manual and signet to the Mayor and Sheriff of the town of Suthampton. Trusty and welbeloved, We grete you wel, and for asmoche as the Lordes of our parlement and the commownes of this our royaume have graunted unto us the xth part of the values of oon yer of alle their landes tenementes and other possessiouns as in several actes made by auctorite of parlement upon the same more pleinly it appereth, We sende unto you at this time our severel letters of commission with the copies of the said actes and instruccioun, Willing and desiring and over that straitly charging you to make to be assembled all the commissioners named in the said commissions, or as many of them as ye may as hastily as ye can, at a certain day and in such place as shalbe thought moost convenable for ye to assemble in, and over that, that ye tharine, and there deliver unto them our said commissions, copies and instruccioun, soliciting them with alle diligence for the hasty execucioun of our said

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commissions according to the said actes and instruccions. Not fayling so to do as ye tender our wele, and the wele of this our land. Yeven under our our signet at oure Paloys of Westminster the x^th day of December.

— Edward IV., January 4; Palois of Westminster. Letters under Edward the Fourth's sign-manual and signet to the Mayor of the town of Suthampton. Trusty and welbeloved We grete you wel, lating you wite how we be enfourmed that notwithstanding We of late commaunded you by our other letters, that ye shulde contente and paye with our mony vesting in your handes suche sommes of mony as by us is due unto John Paynter Purser of our ship called the *Grace Dieu* and his felaship, for suche reparaciouns as by our commaundement thei have made upon the same, and for theire borde and wages, the time they were within our said ship, ye have not accomplished our commandment as it is said to our grete mervayle, Wherfore We eftsounes straitly charge you if it so be, that incontinent upon the sight herof ye make contentacioun unto the said John and his felaship, of the said sommes of mony according to our other letters, alle excuses and delayes sette apart as ye wol do us plesur, eny thing you moving to the contrary notwithstanding, and theese our letters shalbe your warrant and souffisant discharge anempst us in that behalve. Yeven under oure signet at our Palois of Westminster the iiij^th day of Januery. The seal is surrounded with a ring of finely twisted twine.

12 Edward IV., May 3; Towne of Lew . . . . . Letters under Edward the Fourth's sign-manual and signet to the Mayor and his brethren of the town of Southampton. Trusty and welbeloved We grete you wel, and for youre true devor and acquietall that ye have shewed you of hertofore at al tymes to our gret pleasur according to your duetee, We hertly thank you and pray you in like wise to continue yeveyng ful faith and credence to the right reverend fader in god our right trusty and wel-beloved cosin the Bisshop of . . . . . and to our trusti and welbeloved knight Sir Morys Barkley in that thei shal. . . . . behalve and that ye endevour you to accomplishe the same as our trust is in you . . . . . signet at our Towne of Lew . . . . . the iij^de day of May. At the foot of the worn and frayed paper appears this Memorandum, "M^d qd. ista litera deliberata fuit Thome Payne Maiori per Thomam Asshe servientem domini Regis exequend' vij die Maij A° rr. E. iiij^ti xii°." On the little that remains of the seal there are indications that the wax was originally encircled by a ring of twisted rush or twine.

— Edward IV., February 7; Paloys of Westminster. Letters under Edward the Fourth's signet and sign-manual to the Mayor of Southampton and "Roger Kelshale oon of oure yomen of the Corowne." Trusty and welbeloved We grete you well, and albeit as we be enfourmed that for his inordinat demeanyng oon Thomas Blythorn of our Town of Suthampton Boweer was of late commytted to Prison yet there remaynyng, Nathelesse of our grace especial and at the humble supplicacions of our Boweers there, We wolle and be pleased that he be enlarged and put to bayle, so that he feithfully doo and contynue in oure service of occupacioun there as othre Boweers doo, receyving like wages. Yeven under our signet at oure Paloys of Westmynstr' the vij^th day of Fevrier. The perfect seal of this much worn paper is encircled by a rush ring.

— Edward IV., September 2; Towne of Alford. Letters under Edward the Fourth's signet and sign-manual to the Mayor and

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his brethren of the town of Southampton. Trusty and wel-beloved We grete you wele, lating you wite how it hathe of late bene shewed unto us on the behalve of Margerye Stamford of oure Towne of Southampton widowe, that John Walker of our said Towne merchaunt contrarie to right and good conscience kepith from hir a tenement in the Strete called the Englisshe Strete ther, which of right apperteyneth unto hir as it is said, and as she shalle shewe unto you hir right therynne more at large, Wherfore We have consideracion that bicause of povertie she is not of power to sue the processe of our lawes in that partie, desire and pray you to calle aswell the said John as hir afore you, to take examinacion of the titles by aither of thaim pretended unto the said tenement, and therupon to put you in effectuel devour to sette such direccion and ende therinne betwix thaim as shal accorde with right and good conscience, Wherynne ye shal doo unto us ful good pleasur. Yeven under our signet at the towne of Alford the seconde day of Septembre.

— Edward IV. Bill prepared for the King's sign-manual, but not signed. "To the King our Allez liegelord: Pleas it youre moost noble and haboundaunt grace to addresse your graciouses letters under your prive seale in due fourme to be made aftir the tenour folowing,—Edward by the grace of god &c. To the Tresorer and Baronnis of oure Escheker greting, Where Thomas Raynold late Shireff of the towne of Suthampton, that is for to sey from the Feest of Saint Michell *in* the ixth yere oure reigne unto the same Feest than next folowing, of the money growing to us in his saide office by that tyme Within the saide tyme hath paied diverse summes of money unto oure right dere and trusty cosyn John late Erle of Worcestre, and also to oure Welbeloved William Wade late Capteyn of oure Shippe called the *Rose* for vitailling thereof and unto John Paynter Purser of oure shippe called the *Grace of Dieu*, and to other diverse persones, keping to oure use the same shippe diverses and severalles summes of monie in certaine maners and fourmes by us therein appointed, and by us to the same Thomas by mouth declared as We certeineley knowe, and Where also nowe late in tyme of the Usurpacioun of Henry the Sixt Richard late Erle of Warwicke by force and violence ayenst the Wille of the saide Thomas Raynold malgry dis compelled the same Thomas to contente and paye unto the same late Erle certeine summes of money, the whiche he claymed to be due and to be long unto hym by reason of the office of Constable of Dovorre and Wardeyne of the vth poortes of our graunte of such sommes, Whereof the saide Thomas Raynold is to be charged or chargeable at oure saide Escheker upon his accompt of his saide office as we be certeinly and credibely enfourmed, Whiche summes so paied by oure appointment and the saide summes so paied unto the saide late Erle of Warwike by coercioun and compulsioun atteyne to the summe of cviii*li.* ix*s.* x*d.* and above, We also considering the true and feithfull service done unto us by the said Thomas Raynold to oure right especiall pleasure at tyme of oure being at our saide Towne of Suthampton and otherwise,and not Willing hym to be charged or to satisfie to us of the saide cviij*li.* ix*s.* x*d.* of his owne propre godes but rather intending to provide for his indempnite herein, of oure grace especiall certeine science and mere mocioun remit and relese unto the saide Thomas Raynold the sume of cviii*li.* ix*s.* x*d.* of suche summes of money, Wherof he is to us in fourme abovseide charged or chargeable, and wille and charge you that ye utterly acquite and discharge hym ayenst us forever of cviii*li.* ix*s.* x*d.* in his saide accompte of suche summes of money, Wherof he is to us upon that accompt charged or chargeable in eny

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wise, and Where also oure Trusty and Welbeloved John Spryng late Shireff of the saide Toune of Suthampton that is for to sey from the Feest of Saint Michell in the x^th^ yere of oure reigne unto the same Feest next folowing Within that tyme paied and delivered unto the saide John Paynter certeine severale summes of money for vitaillyng of oure saide Shippes to oure use in certaine maner and fourme by us appointed and by our mouth to theym (*sic*) declared as We certeinly knowe, and also Where the saide late Erle of Warwike in the saide tyme usurpatioun by his grete violence myght and power compelled the saide John Spryng to paye unto hym and to other to his behofe certeine summes of money being then in the handes of the said John Spryng &c." The remainder of the lengthy document, after providing for the discharge and indemnity of John Spryng in respect to 36*l.* 16*s.* 6*d.* would have provided for the acquittance and discharge of a third Sheriff of Southampton, named Thomas Avan, in respect to 53*l.* 1*s.* 8*d.* paid by him, at the commandment of the King's mouth, since Michaelmas last past, to John Paynter and other persons, keeping His Majesty's ship, the *Grace Dieu*.

22 Edward IV., November 28; Paleis of Westminster. Privy Seal Writ addressed to all Mayors, Sheriffs, Custumers, &c., &c., and other officers as well of the Five Ports as of all other Franchises. Edward by the grace of god Kyng of England &c. &c. gretyng. It is lamentably shewed unto us and our counsaill by oon Petir de Valeto merchaunt of Spayne, that where he late had freight a Ship of Britaine with heryng wex and clothes of Tapestry Werk and the same brought into oure port of Wynchelsee there lying at an ankre and tarying wynde and wedir convenient certaine eville disposed persons men of werre yet unknowen unto hym entred and toke the seid Ship goodes and merchaundises and from thens coveyed the same and now late as it is said have arryved withe the seide Ship in oure Porte of Suthampton and there have solde and distributed grete parte of the saide goodes and merchaundises to the grete hurte of the said Petir contrary to oure liberties and fraunchises of our Stremys and portes, and in right evyll and malicious example if this shulde passe unrefourmed, We Wolle therefore and in the straitest wise charge you and every of you, that by alle the wayes and meanes to you possible put you in fulle devoir and diligence if the same Ship or any part of the same goodes or merchaundises or takers therof avoyne or come to any place or places where ye or any of you have rule or guidyng to arrest aswelle the seid Shippe and goodes in whosoever handes they may be founde as the takers of the same, and so suerly under kepyng to remaigne unto the tyme ye certifying us and our Counsaille of your demeanyng in that behalf shall have from us other comaundement, Charging moreover alle our subgettes and liegemen in execucion of the premisses that they and every of theym be to you aidyng helping and assistyng whensoever on our behalfe they shalbe by you or eny of you warned or required as they wolbe recomended unto us of good and due obeisaunce, Not faillyng herof as ye intend to doo us singular pleasir. Yeven undre oure Pryve Sealle at oure Paleis of Westminstre the xxviij^th^ day of Novembre the xxij^th^ yere of oure Reigne

8 Edward (?), September 14; City of Canterbury. Letter under the signet and sign-manual of the King to the Mayor and Customers of "the towne and poort of Southampton." Trusty and Welbeloved, We grete you wele, And where as a certain Ship called *Marye Devir* of Biscay in Ispayne was lately put under arrest by our commaundement within our haven ther for convey-

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ing of Alom into this oure Royaume withoute oure lycence, It is soo that we be enfourmed that the said Ship is deteyned there within oure said haven oonly for the brynging of the saide alome and for non othre cause, Wherfore we wool and commaunde you that if the said ship be not restrayned and taryed but oonly for the cause abovesaid, Ye suffre her incontynently upon the sight hereof to departe at her fre large and libertye, And that ye fayle not herof in any wyse for thus it pleases us to be doon. Yeven undre oure signet at our Citie of Caunterbury the xiiij. day of Septembre the viijth yere of our Reigne. The sign-manual and signet of this worn and stained paper are so defaced, that it is not certain the writing was dated by the sovereign to whom it is here assigned. Marks on the edge of the seal show that the wax was formerly encircled by a rush ring.

— Richard III., March 3; London. Letters under the sign-manual and signet of Richard duke of Gloucestre, Constable and Admyralle of *England* (afterwards Richard III.), to the Mayor of the Town of Suthampton. Trusty and Welbeloved We grete you wele and forasmoche as We be enfourmed that oure Welbeloved Servaunt Richard Forthey of the town of Suthampton squyer hathe diverse maters and sutes to do and attaine afore you in youre Courte, desire therfore and in oure herty wyse pray you that at the contemplacioun of these ye wylle owe to oure seid servaunt in his seid maters and sutes your lawful benyvolence and favour and to see that the lawe be duly mynystred unto hym withoute delaye as we trust you and as ye entende to do unto us acceptable pleasur and deserve of us singuler thanke. Yeven under our Signet at London the iiijth day of Marche. — — The injured seal of this writing bears marks showing that the wax was originally encircled with a rush-ring.

1 Richard III., September 12; Westminster. Writ of Mandate directed to the Mayor of the town of Suthampton and Admiral of the port thereof. Ricardus dei gracia &c. Waltero William maiori Ville nostre Suthampton ac Admirallo in portu ejusdem ac crecis eidem portui adjacentibus salutem, Cum nuper ad querimoniam carissimi consanguinei nostri Henrici Comitis Northumbrie ac dilectorum ligeorum nostrorum Roberti Saunderson et Johannis Hanyng possessorum cuiusdam navis vocate la *Marie de Newcastell* coram nobis et consilio nostro exhibitam de et super iniusta capcione et spoliacione navis predicte ac bonorum ac mercandisarum in eadem tunc existencium per subditos ducis Britannie facta et perpetrata, necnon pro eo quod iidem consanguineus et ligei nostri ad aliquod justicie complementum seu restitucionem navis bonorum et mercandisarum predictorum ab eodem duce eiusve Officiariis attingere nequibant et ob defectum ministracionis justicie, Assignamus vos ac alios Officiarios ac ministros nostros quoscunque coniunctim ac divisim ad omnia et singula naves et vasa cum apparatu eorundem necnon bona ac mercandisas quecunque quibuscunque subditis dicti ducis Villarum de Landeneau Brest Conquet Crowedou Alavowe et Abberwargh' spectancia et pertinencia usque ad summam mille quingentarum et decem et novem librarum in quemcunque portum sive locum infra regnum nostrum Anglie seu alibi sub obediencia nostra veniencia aut adducenda, arestanda et seisienda, ac sub salva ac secura custodia quousque aliud a nobis sub magno sigillo nostro haberetis specialiter in mandatis poni facienda, et ad quedam alia in literis nostris patentibus inde confectis specificata facienda et exequenda prout in literis illis plenius continetur, Virtute quarum literarum vos quandam navem de Conquet predicta vocatam la

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Nicholas de Conquet unde Arnoldus de Agoo est magister in dictum portum Suthampton nuper adductam unacum toto apparatu eiusdem ad requisicionem dictorum Roberti et Johannis arestatis et sub aresto huiusmodi detinetis, que quidem navis cum apparatu antedicto ad quatervigінti libras se extendit in valore prout nos in Cancellaria nostra per literas vestras sigillo Maioratus dicte ville Suthampton sigillatas reddidistis certiores: Nos tamen certis de causis nos et consilium nostrum specialiter moventibus ac pro eo quod prefatus Arnoldus per consensum et aggreamentum dictorum Roberti et Johannis coram nobis in Cancellaria nostra undecimo die instantis mensis Septembris constitutus juramentum prestitit corporale, et eciam per scriptum suum obligatorium prefatis Roberto et Johanni tenetur in Centum libris de comparendo coram nobis et consilio nostro predicto ad festum purificacionis beate Marie proxime futurum ubicunque idem consilium tunc fore contigerit ad respondendum prefatis Roberto et Johanni de premissis, et ad standum direccioni per nos et dictum consilium nostrum in hac parte ordinande et fiende; Vobis mandamus firmiter iniungentes quod dictam navem de Conquet cum toto eius apparatu dearestari et prefato Arnoldo eiusve deputato deliberari faciatis eundem Arnoldum cum navi et apparatu predictis ad libitum suum quo voluerit extra portum predictum ire et navigare permittentes, dictis literis nostris vobis ut premittitur directis in aliquo non obstantibus. Teste me ipso apud Westmonasterium xij die Septembris anno primo.

1 Richard III., 13 October; Lincoln. Letters under Richard the Third's sign-manual and signet "to oure trusty and welbeloved the Maior shireif and aldermen of oure Towne of Southampton." Trusty and welbelowed We grete you wele, and let you wit that the Duc of Buckingham is traterously turned upon us contrary to the deutie of his liegeaunce and entendith thutter distruccion of us, you, and alle othre our trewe subgiettes that have taken oure part, whose traiterus entent We with goddes grace entend briefly to resist and subdue, Pray you hertly therfore and naithles upon your leigeaunce charge you that with as many as ye may reise and make in defensible array on horsback ye do sende to be with us at our Citie of Coventre the xxij day of this present moneth withouten faile in any wise as ye tendre our honnour and your owne wele, and We shall soo see to you for your reward and charges, as ye shal hold you right wele content. Yeven under our signet at our Citie of Lincoln the xiij day of Octobre.

1 Richard III., November 10; Paloice of Westminster. Writ under the Privy Seal by Richard the Third to John Walker, Mayor of Suthampton. — Richard &c. greeting, It is shewed unto us and oure Counsell nowe late that Where as a Ship belonging to Sir William Berkley knight toke a ship of the parties of Britaigne but late ago, Wherin Frankyn Spynell of the said Towne of Suthampton had iiij bales of wollen clothes, which bales and clothes were commytted to the keping of Thomas Broyne squier and of the Baillif of Portesmuth to thentent that they shuld be deliverd to the said Frankyn his depute or attourney in that behalve as by Endenture theruppon made and the bill of compleynt herin enclosed more pleynly it appereth, Soth it is notwithstanding the same endenture the said Thomas Broyne and Baillif of Portesmouth utterly denye to deliver the same iiij bales to the said Frankyn withoute they have commaundement from us in that behalve as We been enfourmed, Wherefore We tendirly considering the premisses Wol and straitly charge you that ye examyn and ripely understand this mater with al the circum-

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staunce And theruppon to minister Justice, Wherein ye shall do us grete pleasir and deserve of us therfore a special thanke. Yeven under our Prive Seel at oure Paloice of Westminster the x^th^ of November the furst yere of oure Reign.

— Richard III., December 13; London. Letters under Richard the Third's sign manual and signet to the Mayor, Bailiffs and Burgesses of the town of Southampton. — Trusty and Welbeloved, We grete you wele, and ben emfourmed that Wher hertofore oure noble progenitours Kinges of this oure Realme of England by their sufficient letters patentes amongest other liberties and previleges haith yeven and conferred unto you ful power and auctoritie to elect name and admitte eny officere necessarie for the tyme within oure towne ther and him of a cause reasonable to remove and put out of his place and roume and in the same depute and ordeign othre at youre plaisire, certain indisposed persones are aboute to trouble and vexe you in dewe execucioun of the said graunt and confirmacioun, Wherefore We willing al resonable previleges and liberties graunted unto you by eny of oure forsaid progenitours to be inviolable observed and keped, Wole and charge you that ye duely executing the said liberties and previleges aswel in the premisses as al othre thinges concernyng the same take upon you as fer as ye lawfully may by vertue of your said grauntes and confirmacioun so to punyshe the said indisposed persones as shal be the good and fereful example of othre, And if they be such persones whome ye may not accordingly punyshe in that behalve to certifie us therof to thentent We may provide suche a lawful remedy in the same as may accorde with youre said previleges and good conscience accertaynyng you that in the execucioun of the premisses ye shal finde us your tendre sovuerain lord at al tymes herafter, Whan ye shal sue unto us in that behalve. Yeuen vnder our Signet at our Citie of London the xiij day of Decembre.

— Richard III., July 17; Castell of Notingham. Letters under the sign-manual and signet of Richard the Third to the Mayor and his brethren of the town of Southampton. Trusty and Welbiloved we grete you wele, And Wol and desire you to yeve ferme faith and credence to the Reaportes of oure trusty servauntes Garter King of Armes and Richard Gough in suche thinges as We have commaunded theim to open and declare unto you at this tyme in our behalve, And that with alle effect and diligence ye will endevoire you to thaccomplisshement of the same, as our truste is in you. Yeven undre oure signet at oure Castell of Notingham the xvij day of Juyll.

— Richard III., July 7; Palaice of Westminster. Letters under Richard the Third's sign-manual and signet to the Mayor and brethren and the burgesses of the town of Suthampton. Trusty and Welbeloved We grete you wele, And where as our Welbeloved servaunt Anthony Spynell merchaunt whom We have in the singulier favor of our grace is inhabited and Reseant in oure Towne there amongest you, We desir and in our herty wise pray you that in alle his causes and materes reasonable ye shewe unto hym your benyvolences and favours and the rather at the Reverence of thise oure letters, as ye desir to doo us a speciall pleasur. Yeven undre our signet at our Palaice of Westminster the vij^th^ day of Juyll.

— Richard III., February 25; Paloys of Westminster. Letters under Richard the Third's sign-manual and signet to the Mayor and his brethren of the town of Southampton. Trusty and Welbeloved We grete you wele, And where upon certain suyt and processe of our lawes attained before you by William Slyfeld ayeinst Johan Sare,

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he is condempned with hurtes and expenses in the somme vij^{xxtl} li unto the said William, It is shewed unto us that though the said condempnacioun be unto the said William, yet the right therof apperteyneth unto our Welbeloved servaunt Thomas Yoxhile, Wherfore We tendring the wele of our said servaunt desire and praie you to see and helpe as fer as in you is, that he may be content and paied of the said somme, Sheweing unto him herein suche lawfull case (? ease) and brief expedicioun yas ye goodely may, soo that by your moyens he may the raythar attayne unto his said duetie as We trust in you, Wherein ye shal doo unto us full good and acceptable plaisur. Yeven undre oure signet at our Paloys of Westminster the xxv daye of February.

— Richard III., March 25; Paloys of Westminster. Letters under Richard the Third's sign-manual and signet to the Mayor, sheriff, and other officers of the town and port of Southampton. Trusty and welbeloved We grete you wele, and where in oure parliament holden at Westminster the furst yere of oure Reigne, amongest other actes passed in the same, It was ordeined and provided, that alle Merchantes of the Nacioun of Italie not made denisins whiche than had within this oure Royaume wares and merchandises brought from beyonde the See, and bifore the Fest of Estre than next foloweing shuld have, shuld do sell or bartre theim in groos and not by retaille to our subgiettes before the furst daye of Maij, that shal be the yere [of] our Lord a thousand foure hundred foure score and five, and the money comyng of the same sale before the said furst daye of Maij employe upon the commodities and merchandises of this oure Royeaume, thair reasonable costes and expenses alwey excepted and deducted, upon payne of forfaicture and othre penalties in the same acte expressed more at large and therupon and sith the said Acte so passed, the said merchauntes of Italie have many tymes shewed unto us and oure Counseille, aswele in the presence of diverse our Citizens of London as othre persounes called for that entent, many and great difficulties, Why they can not utter all the said wares and merchandises within the tyme and daye above limited, considering the great substance and quantitie therof more than was knowen or underestanden to theim whiche were makers and assenters of the saide Acte at the tyme of the making of the same,—Praieing therfore and requiring us of a lengier daye and respite to be yeven unto theim in avoiding their importable losses and damages whiche elles shuld venue upon theim without their gilt or default contrarie to equitie and ayeinst the myndes of the makers of the said Acte, whiche entended noo fraude ner injurie to any persoune,—We therfore having tendre consideracioun to the premisses after this matier largely debated aswele in oure Counseil as in othre places amongest our soubgietes persons of great sadnesse and experience as it is not to you unknowen have by thadvise of the Lordes of our Counseill ensueing also the myndes of the said othre discrete persounes condescended to a prorogacioun of the said daye and terme, Willing and ordeyning that it shall be liefull to the said merchauntes of Italie to utter and employe in manner and fourme conteyned in the said Acte the rest of all suche wares and merchandises as be above expressed yit unsold a this side the Fest of Mighelmase next to come and so doing tavoide the forfaitures and penalties there expressed and elles after the said Fest of Mighelmasse to falle in theim according to the said acte. Whyche oure mynde and ordenaunce We notifie unto you by this our writing to thentent that by your Wisedoms policies and discrecioun the same may be further shewed to our soubgietes within the libertie and franchise of your said Towne, they to demeane theim sef in alle thinges touching the premisses after oure said mynde and ordenaunce.

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Wherein both ye and they shal doo thing greatly to our pleasur according to reason and justice and to the Honor of this oure Royuame, Saving alweye the Residue of the said Acte as touching all othre wares and merchandises comyng or to come into this oure lande after the said Fest of Estre nowe passed to be uttered and employed within viij monethes after theire arrivaile, whiche We wol to stande in his full force and effecte the premisses notwithstanding. Yeven undre our signet at our Paloys of Westminster the xxv daye of Marche.

The seal (much injured) of this document is encircled by a rush ring.

2 Richard III., April 5, London. Letters under Richard the Third's sign-manual and signet to the Mayor and his brethren of Suthampton. Trusty and Welbiloved We grete you wele, And wher it is soo that diverses sedicious and evil disposed persounes both in our citie of London and elliswhere within this our Reame enforced thaymself dailly to sowe sede of noyse and dislaundre ayenst our persoune and ayenst many of the lordes and estates of our landes, to abuse the multitude of our subgiettes, and averte thaire myndes from us if they coude by any mean attaigne to that theire mischevous entent and pourpos, somme by setting up of billes, somme by messages and sending furth of fals and abhominable languages and lyes, somme by bold and presumptuous open speche and comitacioun oon with othre, Wherethurgh the innocent people, which wold lyve in rest and peax and truly under our obeissance, as thay ought to doo, be greatly abused and oftentymes put in daunger of thair lifes landes and goodes as ofte as thay folowe the steppis and advises of the said sedicious and myschevous persounes to our great hevinesse and pitie, For remedie wherof and to thentent the trouth openly declared shuld represse al such fals and continued invencions, We now of late called us the Maire and Aldremen of our Citie of London togidre with the moost sadde and discrete persounes of the same citie in great nombre being present many of the Lordes spirituel and temporall of our land and the substance of al our houshold to whom We largely shewed our trewe entente and mynde in al such thinges as the said noyse and disclaundre ronne vpon, in such wise as We doubt nat, al wele disposed persounes were and bee right wele content with, Wher we also at the same tyme yave straitly in charge aswele to the said Maire as to al othre our officers servauntes and feithful subgettes Whersoever thay be that from hensforth as often as they finde any persoune speking of us or any othre lord or estate of this our land othrwise than is according to honour trouth and the peax and restfulnesse of this oure Reame, or telling of talys and tidinges Wherby the people myght bee stirred to commocions and unlawful assembles, or any strif and debate aryse betwix lord and lord or us and any of the lordes and estates of this our land, thay take and arreste the same persoune unto the tyme he have brought forth hym or thaym of whom he undrestode that that soo is spoken and soo proceding from oon to othre unto the tyme the furst auctor and maker of the said sedicious speche and language be taken attached and punisshed according to his defautes, and that Whosoever furst fynde any sedicious bille sette up in any place he take it down and without redyng or shewyng the same to any othre persoune bring it furthwith to us or somme of the Lordes or othre of our Counsaill, all which direccions charges and commandements, so by us taken and geven by our mouth in our Citie of London, We notifie unto you by these our lettres to thentent that ye shewe the same within al the places of your jurisdiccioun, and see ther the due execucioun of the same from tyme to tyme, as ye wol eschewe our grevous indignacioun and answer to us at your extreme perelles. Yeven undre oure signet at our Citie of London

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the v^th day of Aprile. The remains of the seal of this document afford indications that the wax was originally encircled with a rush or twine ring; and there appears at the foot of the paper this memorandum "M^d qd. ista lra' fuit deliberata Magr'o Vincencio Tehy than Mair' of Suthampton & to his brethern to be executed the x^th day of April the ii^d yere of the regne of Kyng"—.

— Henry VII., September 23; Winchester. Letters under Henry the Seventh's sign-manual and signet to the Mayor and his brethren of the town of Southampton. Trusty and and Welbeloved We grete you well, And Where as by a bille of supplicacioun to us lately presented, We undrestand that certain matiers of Variaunce and controversye depend betwen you on the oon partye, and the Maister brethren and susters of the Hospitall of Goddes House on the other partye, It is shewed unto us that by bothe your aggrementes it is appointed that a view shalbe indifferently taken for the Rightfull ordring and determynacioun of the said matiers, Wherfor We wol and commaunde you to applye yourselfes, that the said view may bee taken, and that a finalle ende be therupon made in the said matiers, so as We bee not molested with any further suyt in this behalf herafter, As ye tendre our pleasur. Yeven undre our signet at our Citie of Wynchestre the xxiij^ti day of Septembre. In connection with this Sign Manual mention may be made of a small number of not important papers (rough copies of depositions and other matters), touching the matters in dispute between the Corporation of Southampton and the Goddishous.

24 Henry VII., February 3; Westminster. Writ directed to Edward Beltknap esq. Master of His Majesty's prerogative in the County of Suthampton, and the County of the town of Suthampton; Commanding the said Master and his deputies that they permit the Maior bailiffs and burgesses of the said town to have and enjoy all the liberties, fines, issues and amerciaments granted to them by Edward the Fourth by Letters Patent dated on 20 August in the 20th year of his reign, which Letters Patent were confirmed by His present Majesty on the 28th November in the fourth year of his reign. "Henricus dei gracia &c. &c. Edwardo Beltknap armigero Magistro prerogative nostre sive ejus deputato vel deputatis in comitatu Suthampton ac in comitatu ville Suthampton salutem, Cum dominus Edwardus nuper Rex Anglie quartus vicesimo die Augusti anno regni sui vicesimo per literas suas patentes quas nos vicesimo octavo die Novembris anno regni nostri quarto confirmavimus de gracia sua speciali inter alia concesserit Maiori ballivis et burgensibus Ville Suthampton et successoribus suis quod ipsi imperpetuum haberent infra Villam libertatem et precinctum eiusdem ville in supportacionem solucionis feodi firme eiusdem Ville omnes et omnimodo fines pro licencia concordandi ac omnimodo alia fines exitus redempciones amerciamenta forisfacturas et deperdita omnium residencium ac omnium integre tenencium et non integre tenencium infra villam Suthampton predictam ac infra libertatem ac precinctum ejusdem Ville tam coram predictis Maiore et ballivis et successoribus suis in curia sua &c. . . . . Vobis mandamus quod prefatos Maiorem Ballivos et burgenses omnia et singula . . . . et cetera premissa habere et gaudere permittatis &c. Teste me ipso apud Westmonasterium."

— Henry VIII., August 20; Manor of Oking. Letters under the signet and sign manual of Henry the Eighth to the Mayor and his brethren of the town of Southampton. Trusty and Welbiloved We grete you wele, And forasmoche as to good policie it apperteigneth in tyme of peace to provide against warres, We therfor

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intending to have a good nombre of Archers prepared and put in arredines aswell for the defense of us and this oure Reame as for the furniture of our other dominions and garnisons in outward partes, Woll and desyre you and nevertheles commaunde you, that forthwith upon the sight of these our letters ye do endevor yourself with all diligence possible to put the nombre of Twelve good hable and sufficient bowmen and archers in such arredines sufficiently furnysshed for the Warres, so that they maye bee forthcomyng upon a dayes warnyng at any tyme whan ye shalbe by us hereafter required, Not failling in theffectuell preparacioun and putting in arredines of the said nombre of Archers, as our trust and confidence is in you, and as ye tender our honour and suertie. And these our letters shalbe as sufficient Warraunt and discharge unto you for your indempnite in the reteignyng levyeng and preparing of the said nombre as though ample auctoritie were given unto you for that pourpose under our greate seale, Any act statute or ordinaunce made to the contrary notwithstanding. Yeven under our signet at our Manoir of Oking the xxth day of August.

— Henry VIII., May 8; Manoir of Richemount. Letters under the sign manual and signet of Henry the Eighth to "the Mayre shreaves and his brethern of Southampton." Trusty and Welbiloved We grete you wel, Assertaynyng that aswel by the tenour of a letter now sent us from the Right Reverende Father-in-God our right trusty counsaillour the bishop of Winchestre as also by a letter whiche ye the Mayer of that our toun sent unto the same our Counsaill, We to oure no litle myscontentacioun and displeasure perceyve that a grete commocion and riotous assemble hathe nowe at this season ben made and presumptuously attempted by diverse seducers and evil disposed persounes of our said toun aswel in breking doun certein dikes there as also in the bolde iustificacioun of the same to the grete disturbaunce of our peax and the perilous example of other light and wilde mynded people, We intending to have the offendours herin to be spedily repressed and punyshed as accordeth with iustice, do sende at this tyme our trusty and right welbeloved counsaillour and knight for our body Sir William Sandes constable of our castel of Southampton, Whom We have commaunded and auctorised not oonly to attache the said sedicious and riotous persones and every of them, but also by the advice of the said right reverende Fader to procede to the correccion and punyshment of the said comocion, by such ways and meanes as he shal thinke expedient, Wherfore we wol and charge you that in execucion of this oure commaundment and pleasure, Ye and every of you be to our said Knight and Counsaillour assistant aiding and obedient in most diligent maner as ye tendre our pleasure. Yeven under our signet at our Manoir of Richemount the viijth day of May.

— Henry VIII., April 9; Manoir of Richemount. Letters under the signet and sign manual of Henry the Eighth to the Mayor of the town of Suthampton. Trusty and Welbeloved We grete you wele, And where as by our other letters heretofor directed We willed you to prepayre and fournissh in sufficient redynes the nomber of twelve hable persounes to serve us in the Warres upon a reasonable monicion to be gyven to you in that behalf, Whereunto ye thene shewed yourself right towardly minded and aggreable to our full good contentacion, We therefor woll and desier you that incontynently vpon the receit of thies our letters ye send unto us your said nomber of persounes sufficiently harneysed, Soo that they may be at our Manoir of Grenewiche the last day of this present month of Aprill thens to

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enter into our wages and further to procede as we shall commaunde them, Letting you wete that we have ordeynid not oonly cootes of our lyverees to be delivered theim at their comyng, but also conduit money to be paied to suche one as ye shall send to receyve the same, Which for the shortenes of tyme and lakke of knowleche of the distaunce from the places where the said persounes shalbe levyed to our said manoir could not be sent to you at this season. Faile ye not effectually to accomplysh the premisses in any wise as ye tender our honour and pleasyr. Yeven under our signet at our Manoir of Richemount the ixth day of Aprill.

— Henry VIII., May 2; Manoir of Richemount. Letters under Henry the Eighth's signet and sign manual to the Mayor of Southampton. Trusty and welbiloved We grete you well, And where as we by our late letters to you addressed willed you to reteigne and kepe those Twelve hable persons in sufficient arredines to bee forthcomyng upon a dayes warnyng, Which We by our other letters heretofore willed you to sende unto us [? for service] in our warres, We for certain considera-cioun us moeving, Woll and commaunde you to sende the said xij hable persounes sufficiently harneysed to our said Manoir of Grenewiche so that they bee there the xvth day of this instant moneth of May next comyng at the farthest, Without any failling as ye tender our pleasur. Yeven under our signet at our manoir of Richemount the secund day of May.

— Henry VIII., March 22; Manoir of Grenewiche. Letters under Henry the Eighth's sign manual and signet to the Mayor and his brethren of the town of Suthampton. Trusty and Welbeloved We grete you wele, And Forasmoche as We be enfourmed that a marshe called the saltmarshe parcell of our Towne of Suthampton lyeth open uppon the see coost, and that the bankes thereof aswell as the causen nigh our Lady of Grace as in diverse and many other places of the same be worne wastyd and by stormes of the see consumed, by reason whereof the salt-water of late hathe entrid and hereafter is like to enter, Not onely to the lost and destruccion of that marshe but also by contynuance shall torne us our Towne and subgiettes thereof to grete lostes noyaunce and damages sundry wise, oneles spedy remedy in that behalf be founde, the occasion whereof is and hath bene for that the said marshe heretofore hath bene put to no good use, Whereby profyt might yerely growe for defence of itself ayenst the see, to our grete marvill and discontentacion, We specially tendring the comon welth of our said toun and to see this mater refourmed accordingly, Will therfor and commaunde you that incontinent upon the sight hereof ye not onely cause to be repeyred and amended the said bankes for the saving of that marshe but also that ye take into our handes all the said marshe putting it to suche use and order that the profyt thereof commyng may yerely defende itself agenst the see withoute any ferther charge to us or our Towne hereafter. And yf there be any persone or persones repynyng hindering or letting you or any of you for the accomplisshement of this our commaundement, that thene ye certefye us and our Counsaill there names with diligence as ye will have our favour. Ferthely We be enfourmed of dekey and povertie of that our towne whiche We and our Counsaill do studye to relyve comfort and entende to cause the same to be better inhabited and replenyshed with people, And soo We will and commaunde you to doo for your partie, And that ye preferre the comen weale of the vytelers craftymen and other inhabitauntes of that Towne befor foreyne, any acte to the contrarye notwithstanding, Whereby other shalbe encoreged to inhabite theim self among you, And also that

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ye see that no Ryot be used ne no idill persounes remayne amonges you, but that they be put to sundry occupaciouns or punysshed according to our lawes, Letting you wete that in the executing of the premisses or any other thing that is to the weale and comfort of that our towne ye shall not onely doo thing to the pleasur of god but in the same manner minister unto us right good and acceptable service encoragyng us by the same to helpe you fourth accordingly. Yeven under oure signet at oure Manoir of Grenewiche the xxijth day of Marche.

5 Edward VI., August 12; Honour of Hamptoncourte. Letters, under Edward the Sixth's sign manual and signet (with ten counter-signatures of Lords and others of the Council), to the Mayor and sheriff of the town of Southampton. Trustie and Welbiloved We grete you well, and wher our writt with such further matter as is annexed therunto is presently addressed unto you our pleasur and expresse commaundement is that in no wise you nor any for you presume to breake up or open our said writte untill it shalbe the xvith daye in the morning of this present moneth on which daye taking good testimony for your declaration at thopening of the same you shall fourthwith with as moche spede as you may possibly procede to the doing of such thinges as by the said writte be appointed unto you without disclosing the tenor of the said writte or of the shedule sent therwith directly or indirectly to any person untill the publicacion thereof except it be to your undersherif or other minister which shall execute our said writte whom nevertheles our pleasur is you shall swere to kepe the same secrete untille the very publicacion therof all which premisses We straightly charge you upon your allegeaunce to do and perfourme in suche forme as ys aforesaid, as you will aunswer for the contrary at your uttermost perille. Yeven under our signet at our Honour of Hamptoncourte the xijth of August the fifte yere of our reign.

— —, March 7; London. John Lucas to the Right Reverend Father ——. Reverendissime Pater et domine, noverit vestra reverencia me laborasse et ordinasse pro exemplificacione patencium quarum copiam misistis, quam exemplificacionem vobis mitto per latorem presentem magno sigillo regis signatam unacum expensis quas mutuatus sum et solvi, In primis ad Maupas custodem rotulorum apud turrim vi*s.* viij*d.*, Item, ad clericum suum pro scriptacione apud turrim xx*d.*, Item pro script' ad eundem clericum xij*d.* Item ad ij clericos examinatores et exemplificatores nominatos sub patentibus exemplificatis viij*d.*, Item pro sigillacione xxij*s.* iiij*d.*, Item ad capitalem custodem et clericum rotulorum Wakeryng vi*s.* viii*d.* pro feodo suo et summa de claro triginti novem solidos nost' q[uia] talis exemplificacio non poterit fieri nisi ad requisicionem unius . . . . et propterea ponitur Willelmo Rauenston in dicta exemplificacione tam requesitor, nichilominus nomen eius poterit deleri et nomen novum ibi poni sed non est ponderandum cuius nomen ponatur ad quorumcunque manus dicta exemplificacio perveniat, ... ipse qui foret attornatus vester in scaccario nondum ven^{t} London' venerit communicabo cum eo de materia de qua mihi nuper scripsistis Amantissime Pater et domine reverende vestre supplico reuerentie non displiceat et si presens litera non sit sufficienter scripta et dictata sane attendendo quod nimium festinavi Non . . . . mi domine vobis jam . . . pro temporis brevitate sed vos et vestra dirigat, qui . . . Scriptum London Septimo die Marcii. Per vestrum humilem filium Johannem Lucas. The approximate date of this letter may be inferred from the fact that William Ravenston was Mayor of Southampton in 1398.

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22 Henry VI., 24 April; Suthampton. Curious letters testimonial and certificatory (in Latin on vellum) by Nicholas Holmage, mayor, the aldermen and other discreet officers of the town of Southampton;—Certifying that on the aforementioned day John Serteyne chaplain and Gilbert Holbeme and Richard Smyth, burgesses, made declaration on oath to the following effect, That some seven or eight years since there came to Suthampton a certain John Wythyell of Bodman in Cornwall goldsmith, claiming to be cousin of the worthy burgess William Nycoll late of Suthampton, and offering to serve the said William in his art of goldsmith; That the said John dwelt with the said William as his servant for the space of a month, in the middle of which time he declared his desire to take for his wife Katharine the daughter of the said William's wife, albeit he (the said John) had a wife living at Bodman, that on discovering the truth of this matter the said William Nycoll ordered the said John to begone to his own wife and house; that on being thus discharged and ordered off the said John swore in anger to divers people that he would have a proper share of his rich cousin's goods; that in pursuance of this purpose the said John was suing in the Commons Bench at Westminster the executors of the said William for payment of a hundred pounds alleged to be due to him from the said William's estate by virtue of a certain obligatory bond; that this bond was a fictitious and fraudulent writing, and that to the knowledge of the three declarators William Nycoll had never been indebted in any sum whatever to John Wythyell.

— —, September 20; Suthampton. (Rough copy of letter) W. Clerk, Mair of Suthampton, to the Bishop of . . . . . Ihs. Righte Worshipfull and Reverend Fader in God and my moste especial good lord I recommaunde me unto your goode Lordship. Plesyng yor goode lordship that by force of a preve seal fro the Kyng our Soverayn Lorde to me late dyrected among other, I have arrested a carak of Jene leying with yn the porte and Fraunchise of the towne of Suthampton, and heve a londe the . . . . of the same Carrak as principal leyinge ther yn fore as moche as the patron of the said carak wasse absent in Flaunders. And not withstondying that they permytted me faithfulli to obbey and abode the seide arrest, accordyng to the Kynges our Soverayn lordes commaundement, and to weye none anker yn no wise, they have sethyn presomptuosli don the outrage, and abalid them utter, proposyng to myn understondying to have departid forthwith yf the wynde and wedder wolde have servyd them, disobeyeng the commaundement of our seid sovreyn Lorde. After which tyme with suche . . . . and power as I had and myght I did entrete them and wolde have taken the pylot leying in the same carak alonde and other of their apparell, which sholde nedis have caused them to have beeyn yn case that I myght ther yn have had my purpose, And they yn no wise wolde suffer me so to do, so that other wise I may not do, but yf I and othir sholde put our lyffes in jepardie and lose them for nought. Wherfore hit may plese your good lordship the premysses considrd a remedy to be provyded to the honor and observyng of the commaundement of our seide Soverayn Lorde the Kynge yn this be halfe. And the blessid Trinite preserve you ever after your hertes desir. Wreten at Suth' the xx day of September. Your servaunt and bedman, W. Clerk, Mair of Suth'.

37 Henry VI., November 2; London. W. Clerk, Mayor of Suthampton to John Dun, Walter Fetplace and alle the other auditours of the towne of Suthampton:—Right Worshipfull and Reverend Sires, And my right trusti and hertli belovyd Frendes, I commaun me unto you in alle hertli wyse, Prayeinge you do hertli as I can, that ye wol calle to your remembraunces the state that we stand yn at this day, And that yé wol

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as diligentli as ye can or may with one hert, one wille and one thoughte effectualli to labour, That an ende [be] had of the bookes of the Bayliffes and Broker yn all haste goodeli, And to warne the Steward that wasse to make his booke redi ayenste my comyng hom, Fore we moste with alle the diligens that we can or may make provision [of] money to be had in short tym, ore we be like to be sore hurte, and that God defend, Fore we have had to moche. And as [for] Sir John Tyer, he cam not yn the courte sith he come by the thadvyse of Ingoldesby by cause of callyng fore money, Fore he seith that he most have yet xxx*li.* and more to fenysh thaccompte of Walter Fetplace, The whiche ys to me right straunge so moche money so moche money (*sic*) as he receyved the laste yer, and this yer to, I can not understond hit. Y remytte hit to your Wysedomys. And as fore thacompte of William Nedam ther ys yet no peny paid but the bare fees by John Tyer now. Wherefore Sires these matteris most be thought upon right specialli. And yn goode feith Sires I doute not but and ye wol with goode herte and wille, undevided and withoute eny ambiguyte every man hertli and diligentli, putte his honde, we shal onys be brought oute of thraldom. Tharle of Wiltshir wasse made Tresorier of England on Sonday laste paste, And under-tresorier ys one Grymesby that wasse Clerk of the Jowelles the which made grete attendauns aboute the Kyng in his siknes. As fore chaunge of any othir officeris ther ys none yet. And as fore Janeis, upon Tuysday they had ther counsell assigned unto them, both Sergentes, And Prentises of Courte. And so moche to do wol be amongst them, God spede the right. The lordis be wroth with them, As hit ys seide. As fore John Tyer by thavyse of Ingoldesby hit wasse thought better to be at home than here for his lyeing here sholde but putte us yn coste and none availe tille the silver be redi, And x*d.* a day is not a litil coste ye knowe welle. I can no more but I beseche God gyde us yn alle oure werke, and have you ever in his gracouse governauns Amen. Wreten hastili at London the ij^de^ day of Novembre A° 37 Regis Henrici VI^ti^ By yowr own W. Clerk, Mair.

— Henry VI., October 17; Suthampton. Richard Gryme, Mayor of Suthampton, and his bretheryn to John Ingoldesby, Recorder of the same town. Right Worshipfull Sire, We commaunde us unto you, and for as moche as we be credibly enfourmed this same daye that the Eschekyr and all other courtes ben enjourned as for this tyme, We praye you hertelye to sende us redy worde by the brynger herof What day that the Mayer most come up for his accomptes on lesse that he myght be excused by youre good helpe and mene, Also se as yersterday here was one Richard Parker, Secretarye with my Lord of Exeter, and broughte with hym acquytaunce under my lordes sele and his signe manuell for the last halfe yere, And seide un to us that my lord prayde us so fayre to be payde here and seide he had never so grete myster ne nede that he is payde. Wherefor We alle praye you in case ye can in any wyse to delyvere the sele to eny of my lordes Counseill theyre and to helpe that we were delyvered of that office. And the seide Richard Parker tellith us that he will move my lorde theryn, And helpe thereto to all that he can, for we tolde hym what hurte and lost hit was unto us. And as for the bille of x*li.* x*s.* that have yf ye seme hit be to do, to take x*li.* of hit and to pay Umfray Hayford, Receive of hym the acquytance that ye knowe of. We remitte hit hoolly to youre discrecion. Also I praye you to sende home a note of the Inquisicioun for the Aliens siller, that hit may be made up clere ayenst I come to myne Accomptes. Also we alle praye you hertely to send us home by the brynger herof a bille of alle youre receytes and the emploiyng of the same, and We will upon

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that devyde hit in the Stywardes bokes as nede is, And make a redy alle the money that we may in alle hast possible whatsom evyr byfall by the grace of Allmyghty Jhū whiche have you and all youres nowe and ever in the blessed gouvernance. Writen in haste at Suthampton the xvij daye of October.—By RICHARD GRYME, Mayer, and his Bretheryn. To oure right trusty welbelovyd John Ingoldesby, Recorder of Suthampton.

— Henry VI., October 22; London. The Earl of Warewyk and Salisbury to the Mayor of the town of Hampton. Right trusty and welbeloved I grete you wele, And where as I am enfourmed by my Right Trusty and Welbeloved freinde Sir Symon Mountford knight that at the late beyng there of the Lord Scalis and othres the Kinges our souverain Lordes Henry the Sext Enemyes and Rebelles a karville bilonging unto the same Sir Symon beyng there in that water was by thaim spoiled and robbed of thappareiles thereunto bilonging contrarie to right and conscience, and the King our said soverain lordes lawes, I therefore willing our Servaunt to bee restored of his said vessell with thapparales desire and pray you and also on our said souverain lordes behalve charge you that ye see the said Karvelle with thappareile wheresoever it be founde to be restored and delivered unto John Bygton this bringar without faile, as ye entende to do me pleasur, and god kepe you. Written at London the xxij^{d} day of October. Therle of Warewyk and Salisbury Grete Chambrelain of England and Capitaine of Calais. R. Warwyk.—The Earl's signet on this worn paper is fairly preserved and is encircled by a rush ring.

— Edward IV., December 11; London. Robert Ratclyf, Portour of Caleys, to John William of Southampton, merchaunt.—Trusty and Welbeloved, I commaunde me unto you mervelyng greetly that ye ded not content and paye to Thomas Avan nowe beyng Sheref of your Town xx*s*. the whiche I wrote unto you fore: Considerynge the speciall letters to you directed by my Lord of Worcestre, that tyme beyng Tresorer of England, whous soule god pardon, that ye shold unto me and unto William Wade squyer of the kynges hous deliver suche vitell for the kynges Shippis as I shold thenke nedefull and necessary to the seid Shippis. I chargid you with noo more, but with the bill of xx*s*., the whiche I undrestand is unpaide as yet. Wherefore I will that ye paye the seid xx *s*. unto the seid Thomas Avan as that ye will eschewe a gretter inconvenience. Wretyn in London the xi. day of the moneth of Decembre. By Robert Ratclyf, Portour of Caleys.

— Henry VII. Copy (on paper) of the bond, in the sum of fifty thousand crowns of gold (to the Emperor Maximilian, and Charles Prince of Spain, &c.), of Thomas earl of Arundell, John earl of Oxon, Henry earl of Northumberland, Thomas earl of Surrey, George earl of Salop, Henry earl of Essex, Thomas earl of Darby, Charles Somerset lord Harbort, Thomas Fyneux lord Dacre, John Bouchier lord de Berneys, William Blount lord Mountjoy, Thomas Darcy lord Darcy, William Conyers lord Conyers, lord Henry Stafford, and also the Mayors, aldermen, sheriffs, bailiffs, constables and communities of the counties, towne and vills of London, York, Coventre, Norwyche, Exeter, Chestre, Worcester, Bristow, Southampton, Boston, Hull, and Newcastell; For the due performance of the marriage of Charles Prince of Spain either Cicely and Jerusalem with the lady Mary daughter of Henry the Seventh of England, within forty days after the completion of the said Prince's fourteenth year, in accordance with the treaty for the same marriage made on 21 December 1507 between the said King of England of the one part, and Maximilian "tunc Romanorum Regem

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nunc vero electum in Romanorum Imperatorem . . . . ac eundem Principem Hispanie auctoritate tamen et expresso consensu eiusdem Regis Romanorum . . . . ac serenissimam et preclarissimam dominam Margaretam Austrie et Burgundie viduam Ducissam Flandrie &c. . . . . ex altera parte." The document, covering fourteen pages, endorsed, "This is the Copy of the bond for the Mariage of the Most noble and excellent Lady, my Lady Marye the Daughter of our most Dreadd Soueraigne Lord King Herry the VII[th]."

—, —., September 7; Eshere. (Copy of a Letter from) The Bishop of Winchestre to Hugh Pakenham. Right trusty and right Welbeloved, We grete you wele, Puttyng you in knoliche that we have tithinges out of Normandie How the Frenshe men been redye with a grete powere and purpose to execute thare malice ayens this londe bothe uppon the see and also like as they did the last yere at Sandwyche at this [? season] for to lande in summe other places. A variance that is betwixe the Cite of London and men of Courte and dyvers other grete matiers that now been in hande causen the Kinge to leve his purpose of ridinge northwarde and wol abide here nygh aboute London and soo hath commaunded us and other lordes of his Counselle for to do so also to thentent that yf any grete and sodayn case falle that the lordes shal mowe hastily be assembled and take suche direccion of redresse therinne as shalbe for the suerte wele and honour of the Kynge and his Reaume, and this causeth us that we may not kepe oure purpose of comyng to Hampshir at this tyme, Whiche bothe for to have seen a goode and sadde rule sette there for the sauf garde of that cuntre and other grete matiers touchyng oure cure and charge, and also for our disporte, We wold right gladly have doon, but seth We may not come in our owne persone, We shall sende in to the cuntre suche ordinaunce we have purveied for the defence of the same, And yf any grete liklihode of jeopardie be thought suche feliship as we have aboute us shal be there witnout delaye, redie to make resistence. We have writen this same daye to the Maisters of the Kinges ordinance for stuffes to be hadde in the Castell of Hampton for keping therof. It is seide that there be in Hampton iij or iiij traitours that have promised it unto the Frenshe men, And therfore We praye you to comune with gentilmen of the cuntre and also with the Maire and summe other trusty and sadde men of the same towne in that matier, and to praye thaym for to see wysely aboute thaym. Ther be Commissiones of Arraye sente oute in to alle the Shires aboute the See-coastes from Cornewale unto Yorkshire for kepinge of the same, which I trust with Goddys helpe shall do grete goode, And our Lord have you alweye in his keping. Writen at Eshere the vij[th] day of Septembre. W B of Winchestre.

—, —., July 9; Westminster. Lords of the Council to the Mayor of Hampton. After oure hartie commendacions, Whereas you have receyved unto your warde and custodye Robert Barry and Harry Whight, lately apprehended for a robbery and haynous murder committed by them wythin the Kinges Highnes realme of Englonde (*sic*), and delivered unto youre handes by Wylliam Bowrman bearer hereoff, being servaunt to Sir Antony Sentleger knight deputye of the saide realme of Ireland (*sic*); Forasmuche as itt is thowght good the sayde two offendoures be tried in the country where the dede was doon, his Majesties plesur is you shall nott onely deliver the sayde Barry and Whight unto the saide Wylliam Bourman to be by hym convayed thither, butt shall allso assigne unto him suche your officers and assistance att his costes and charges as the same may safely be by them and him convayed to Bristow. Wherof we pray you nott fayle. From

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Westminster the ix^th of July. Signed by T. Audeley, Chauncellor, and five others.

[1544], April 26, Westminster. Lords of the Council to the Mayor and other officers of Southampton. After our harty commendacions, Where we be enformed that there remayneth at this present within that the Kinges Majestes porte of Southampton two Crayers laden with grayne and other vitialles provyded in those partyes to be transported to Calays for the furniture of his hieghnes garrysons theire and at Guisnez, and that uppon feare of Ennemyes uppon that cost the same differre to departe without some conduite, His Ma'tes pleasyre is in cace theire be any shippes theire furnished for the Warres, You shall requyre the Capitaines of the same by His Majestes name to see the sayd Crayers wafted to Calays aforsayd for the more sure conveyance of the sayd vitailles thither accordingly. Thus fare you hartely well. From Westminster the xxvi^th of April.

—, —., October 21, . . . (Copy of Letter from) Lord St. John and Thomas Earl of Southampton, to the Lord Chief Justice, Sir William Berkelye, George Poulet and Thomas Whighte, and the other Justices of the Peace of the County of Suthampton. For the speedy setting forth by the said county, under the command of Mr. Lee, the bearer of the letter, of a hundred men armed and weaponed in accordance with the requirements of the Lords of the Council. Signed W. Sentjohn, Thomas Suthampton.

— — . Letter from Francys Dawtrey to the Mayor and his brethren of Southampton. Giving orders in accordance with letters from the Lords of the Council, for the speedy setting in array of the forces of the shire "againste suche yvell dysposed parcons whiche aire rysen now to the dysquietinge of the whole realme." No date.

1548, January 30; Somerset Place. The Duke of Somerset to the Mayor and officers of the town and port of Southampton. For the safe custody of a certain hoy named *The James*, laden with goods of certain merchants of Antwerp and others, and also for prompt enquiry whether the same hoy and goods be lawful prise.

1548, February 12; Somerset Place. The Duke of Somerset to the Mayor and his brethren of Southampton. For the restitution of certain wines and other "goods to Dunstone Aues, John Van Tright, Henry Grenerice and Henry Wendyll of the Stilliard," and for the compensation of the same four merchants in respect to such of the same wines and other goods as may have been pilfered or conveyed away since they were received by "one John Robbins capten of a bark at Dover."

1548, February 29; Somerset Place. Lords of the Council to the Mayor and other the Kinges Majesties officers within the Towne of Southampton. After our harty commendacions, Undrestanding that certen parcelles of waie expressed in the ende of this letter remayne there at Hampton which by sundry circumstances we juge not wel taken we have thought good to require you first to make serche where any such be who brought them thither and what ye can gather for the suspices, cause it to be well tryed out, and stayd till further knoweledge hens' advertising us what you shal fynde in the matier. Thus fare you hartely wel. From Somerset Place the xxix^th of Feb. 1548. Signed, Somerset and others.—With the following note at the bottom of the letter,—

First, Lii Ballettes of peper,
Item, xxxij Ballettes of ginger,
Item, vij^c peces of Callycow cloth,
Item, vi hoggesheddes of cloves,
Item, ij pipes one hoggeshed of grayn to grayn cloth.

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1548, March 22; Westminster. Lords of the Council to the Commissioners "for the tax and order of levieng the relieve graunted to his Majestie in thys late parliament within that his Majestes Towne of Southampton." Setting forth the various causes of His Majesty's present need of money, and the considerations that should make his subjects furnish the needful supply with alacrity and cheerfulness.

—, April 20; the Court. John Lyle to the Mayor and officers of town and port of Southampton. For an exact return of the ships, with the burden of their tonnage and names of their masters, and also of the whole number of the fishermen and mariners within the said town and port.

1549, May 6; Grenewich. Lords of the Council to Edward Bisshopp, Mayor of Southampton. Bidding the mayor deliver to the Spaniard Salcedo the 100*l.* taken from him on suspicion by the said mayor; it being found on enquiry that the said Salcedo has Mr. Loke's passport, licensing him to depart at will beyond the seas.

1549, May 15; Grenewich. (Copy of letter from) Lords of the Council to the Sheriffs and Justices of the Peace within the County of Southampton. Ordering the said Sheriffs and Justices of the Peace to have the power of the said shire in "arredines" and employ the same with vigour for the suppression of the turbulent movements of certain lewd persons, it having come to the lordships' knowledge "that sondry light folkes of the counties of Somerset and Wiltshire have attempted to stirr in great companies upon pretence of libertie proclamacions against enclosures."

1549, May 20; . . . . . W. Seint John and John Ryther to the Mayor and his brethren of the town of Southampton and John Mylle esq. of the same place. After right hertie commendacion, Forasmoche as the Kinges Majestie by thadvice of my Lord Protector and other the Lordes of the Councell have appointed certen shippes to sea for the preservacioun of the kinges subjectes traveiling the seas betwene the Mounte and Portesmouthe dailie, and another nombre of shippes at Dover for that parte of [the] narrowe seas, another nombre for the northe parte, for the defence of thenemyes and the preservacioun of His Graces owne subjectes, whiche shippes appointed for youre cost [have] been appointed to vitell at Portesmouthe and to be aided and holpen as nede shall require with you and other portes betwene you and the Landes Ende, for the which vitellinge Barney, this bringer, is appointed to have the charge, to whom We hertelie pray you to be aiding and assisting in all that you may, for the better and more spedie furniture of the said provision in tyme of necessitie. Thus fare you hertelie well. Written this xxth of Maii 1549. Your loving friendes, W. Seint John, John Ryther.

1549, May 26; . . . . . Lord St. John and the Earl of Southampton to the Mayor and His Brethren of the town of Southampton and John Mylle esq. After right harty commendacioun, Forasmuch as dyverse frayle persons in Overton and other places of the Shere have latelye shewed ther mysorder and disobedyence by routing and gathering together, doing unlawful dedes ayenst the Kinges Peace, for the redresse whereof the Kinges Majesties plasure ys by thadvice of the Lord Protector and other his graces counsaill that order be gyven by the Justices of the Peace for the staye of his Graces people in good order and obedyence in every county: For the accomplishement whereof wee dyvyded the Shere amonges the gentlemen, and wreten lyke letters to them as wee do to you for the towneshippe of Hampton, which ys alloted to you: This shalbe to desyer in the behalf of the King's Majestie to call the constables of every hundred to you alloted discreatly without rumour charging them in the King's

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behalf to gyve order to the saide men of everye parishe within your saide hundredes to see the Kinges people in ther parishe in good order and obedyence, and that the constables for ther parte see dayly to the good observation of the same and to the spedy punyshement of every offendor, calling for ayde and counsaill to you from tyme to tyme as the case shall requyer lyke as you must do to other commyssyoners, yf you shall see cause, gyving order that the watches in every towne and borowghe be well kepte according to the statute, and with more nombre than hath heretofore been accustomed, bycause of this disorder, putting your selfes and the honest and wyse inhabytauntes of every hundred discreatly in some redynes to meate togythere for the redresse of suche as shall fortune to mutyne and confederate to dysorder themselfes, and for the ayde of your company, in ther quarters or the next Sheres adjoining yf such nede shall requyer: Wherin we desyer you in the behalf of the Kinges Majestie to use youre wysdomes and discretions with the moost dylygens you maye: And hereto you shall receyve a paper of the devyson of the Shere as therby you maye knowe with whom to proceede for counsaill and ayde in this the said service. Wretyn the xxvith day of Maye 1549. Yo^{r} Loving Frendes, W. Seint John.—
Thomas Southampton.

1549, June 25; Syon. The Duke of Somerset to the Mayor of Portsmouth and the Mayor of Hampton. Mandate to the said Mayors to provide promptly a convenient vessel for the transporation of one hundred soldiers to Alderney, whither the said soldiers under the conduct of the bearer of the epistle, Robert Trokefild, are ordered to proceed in the King's service.

1549 July 13; Syon. The Duke of Somerset to the Mayor of Southampton. We commend us unto yow, and undrestonding that one friar Wigg hath of late used language there of the limitation of the kinges majesties reigne nothing unlikely a traytour, We will that ye furthwith upon the sight herof circumspectlye apprehend the bodye of the said Wigg and hym committ savely to prison there to remayne untill furder order be taken with hym. Thus fare ye hertely well. Fro Syon the xiij^{eth} of Julie 1549. Your loving frend E. Somerset.

1549, July 23; Winchester. The Mayor and Brethren of the city of Winchester to the Right Worshipful the Mayor and his Brethren of the town of Southampton. After our hartie recommendacions, We asserteyne that we have with all diligence circumspectly searched for parson Wigge which is not to be founde within our citie, and furder we have learned that uppon thursday last past he was here, at which day his boy came and brought hym worde that yf he might be taken he sholde be commytted to ward, Wheruppon ymmediatly he departed we know not whether, but yf he happen in tyme to come to resorte hether wee will doo our dyligence for our indevor to apprehend hym by the grace of god who ever kepe you. From Winchester this xxiijth day of July. Your loving Frendes the Mayor and his bretheren of the Citie of Winchest^{r}. And furder we have sent my Lord Protectors letters unto you herein inclosed.

1549, August 7; Westminster. Lords of the Council to the Mayor of Southampton. Ordering the mayor to deliver to "Balthaser Gonsales a Portigale the xlvj^{ti} bales of white alam, nowe proved his owne proper goodes, with his ship, marriners and the tackling." Dated from Westminster.

1549, August 13; . . . . Lords of the Council to the Mayor of Southampton. For the sufficient publication of their lordships' accom-

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panying "Proclamation for the restraint of transporting of wolles beyonde the seas."

1549, August 16; Westminster. Lords of the Council to the Mayor and Aldermen of Southampton. After our harty commendaciouns, Whereas the alume and other marchandises that be stayed there in youre handes for French goodes be nowe sewed for by one Lope de Carion as factour for certen burgeleses (*sic*) and others pretending to have interest in the same, the same Lope offring to put in sufficient sureties that in cas the same goodes be proved to be Frenche they or the true value thereof shalbe restored accordingly, you shall understand that we have accorded to the same Lope his request, who havyng already put in sufficient sureties in a summe convenient before the Judge of thadmiralte to be answerable for the same goodes in cas they shalbe proved to be French within a twelvemonth and a day, We require you to se the same goodes delivered unto him accordingly, he or his factour, whom he shall send for the same, indenting with you for the delivery and receipt therof. Thus fare you well. From Westminster the xvith of August 1549. Your loving frendes &c. &c.

[1549 ?), November 5; Tichefelde. Thomas earl of Southampton to the Mayor, Recorder, Aldermen and burgesses of the town of Southampton. In behalf of the writer's servant John Paynton, the bearer of the epistle, who desires to become a free burgess of the said town.

1549, February 10; . . . . . Lords of the Council to the Mayor and Customers of Southampton. Reprimanding the said Mayor and Customers for disregard of previous letters touching the same business, the present epistle bids them deliver to the bearer eighteen sacks of hops found in the hoy of James Anthony the Younger, and permit the merchants claiming the said hops to take view of other goods lying in the hands of the said Mayor and Customers, and supposed to pertain to the same merchants.—Also, Letters (signed W. Saynt John and dated 25th and 30th January 1549) that are referred to in the epistle of the 10th of February, as having been disregarded.

1550, May 30; . . . . . John Vicke to Mr. Ridge, Mayor of the town of Suthampton. Announcing that he has paid the fees amounting to xxvis. viijd. for passing under the signet and privy-seal the Mayor's "bill from the king passed with his Grace's hand," and that having the same bill in his custody he is ready to deliver it to any duly authorized person, the writer sends his hearty commendations "to myn hostesse your bedfellowe."

1550, June 12, Grenewiche. Lords of the Council to the Mayor and his brethren of the town of Southampton.—After our harty commendaciouns, Whereas notwithstanding our generall letters written unto you for thenlargement of all Frenche prysoners we understand that oon John Davyd of youre towne deteyneth two Frenche prysoners, thone named Balthasar Cannyn and the other Guilliame Linguier marchanntes of Abbevile, As we do not a little marvaill thereat, So we require and charge you on the behalf of the Kinges Majestie all excuses sett a parte not only to give ymmediat order as the said Balthasar and Guilliam but all thother Frenche prysoners may be inlarged according to our former letters without paying any raunsom or other charges, And sending to us a booke of their reasonable charges we shall give order for payment. Thus we byd you hartely to fare. From Grenewich the xijth of June 1550.

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1550, August 7; Wyndesour. Lords of the Council to the "Mayour of Hampton, and to John Mylles and Robert Pennegar of the saide towne, esquyres."—After our right herty commendaciouns, Whereas apon such informacioun as hath been gevyn us of certaine conference had betwen oon Parkyns the yonger, Keaper of Crokham parke in Barkeshire, and his aunte the wief of Thomas Welles the yonger towching the demande whiche she made to know of him what newes were abrode and his answer to the same, the saide Parkyns being thereupon examyned afore us standeth for the more part in denyal, We have thought good for the more certayne knowledge of the truth thereof to requyre you ioyntly to call before you the wief of the saied Thomas Welles, and in the Kinges Majesties name to charge her that she playnly and wholy declare unto us by waye of deposicioun what talk passed the xviith day of the last monthe betwen the saide Parkyns and her upon theis three pointes, That as to say towching the President in Wales, the Bushop of Wynchester, and a sturre that shuld be in this Realme before Mighlemas next greater then the sturre of the last yeares. Wherein examyning her substantially we requyre you to sende us uppe in writing her aunswers accordingly. Fare you hertely well. From Wyndesour the viith of August 1550.—Your loving Frendes, &c. &c.

1550, August 16; Gilford. The Earl of Wiltshire to the Mayor of Hampton. Requiring the Mayor "to certifie the Lords of the Councell what" he has "doon of the examynacioun of Mr. Welles the Youngers wif touching Mr. Parkyns as the Lordes of the Councell looketh for aunswer, and the yong gentleman remayneth in warde the meane while," and "desirethe greatlie to be discharged."

1550, September 4; Otelands. Lords of the Council to the Mayor of Southampton. For the prompt conveyance of enclosed letters to Jersey and Garnesey by the next convenient messenger.

19 Elizabeth, March 21; Westminster. (Copy of) Letters under Her Majesty's sign-manual and signet, to the Marquis of Winchester, the Lord Sandes, the Lord Delaware, and the rest of the Commissioners for taking General Musters in the County of Southampton, appointed in the 15th year of her Majesty's reign, "for the musteringe leveyneg and puttinge in areadines . . . in that sheire the nomber of three hundred hable men to serve as soldiers." Together with copy of the Letter of Instructions from the Lords of the Council, accompanying aforesaid writ, under Her Majesty's sign-manual.

1580, September 4; . . . . Deposition of John Worssley, Messenger of Her Majesty's Chamber for Southampton, deposing that, on serving Henry Carewe with a Letter from the Lords of the Council requiring his presence before them in respect to a controversy between him (Henry Carewe) and the Mayor of Southampton, the said Henry spoke violent and unseemly words in disrespect of the said mayor.—Also on the same paper appears copy of the following deposition dated 18 August 1580, and signed by 18 deponents: "The daye and yere foresayd Barnard Cortmill, Maior of the towne of Suthampton, William Stanely, and John Marche of the same towne, aldermen, Peter Janverin of the same towne bayliffe, according to ther auntiant custome tyme out of mynd used, came to Kaye Haven to the full staemarke there, to kepe the Admarall' Corte, at which time theye found ther Henry Carewe and one other gentillman with him, and the said Henry hadd with him three men with sordes and bucklers weapons and then and ther resisted the forsaid Maior to kepe Her Majesties Cort, with violence revyling the said Maior and his officers, and wold have thrown the Cort Bookes

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into the sea, and when as the officer called the Corte he moked at him with loud voyce, &c., &c."

1581, December 25; Sallesburie. Garratt Swift to the Mayor of Southampton. Touching a matter depending in the Court of the Town of Southampton between the writer and one Nycholas Harris, marriner, in respect to certain apparel, of the value of 3*l.* or 4*l.*, said to have been forcibly and unlawfully taken from the said Garratt Swift by the said Nycholas Harris.

1586, October 7; London. Thomas Wylkes to the Mayor and his brethren of the town of Southampton. I received latelie by M^r^ Waterton your Towne-Clerke your verie courteouse and frendlie letter, offering unto me a burgeship of your towne for the Parliament, whereof I did, and do verie kindlie and lovinglie accept, and do yeld you my moste hartie thancks. Sithence the receipt of your said letter and my acceptance of your Burgeship, it hath pleased her Majestie so to dispose of me as to employe my service in the Low Countreys whither I am to repaire with all possible expedition, and therby forced (much against my will) to disappoint you; I doe therefore hartilie praye you to make choise of some other, that may attend that place; and if you were not or might not be speciallie provided to your better contentment, I wold be a suiter unto you to bestowe the same upon my brother in lawe, Mr. Henry Smyth, her Majesties servant, and a gentleman, that wilbe redye to doe any good indevor for the good of your towne, wherein if it shall please you to gratifie my request, I pray you to signifye your answer unto him, lodging at his Mothers at the Gilt Kye in Cheapside. And so with my verie hartye commendacions I committ you to God. From London the vij^th^ of October 1586, Your assured frend to commande.—Thos. Wylkes.

1586, October 12; . . . . . William Butler to the Rt. Worshipful M^r^ Andrewe Studley, Mayor of the town of Southampton. Letter touching the payment of the fee-farm of the town: With this "Postscriptum. M^r^ Maior, I have become an earnest sutor to you to have your favor and furtherance to make choyse of a Freinde of mine to be one of your burgesses of your Towne in this parliament. The gentleman is a very sufficient man and yf you make your election of a burgess that is noe Townesman, you cannot make choyse of a better, his name is M^r^ Sampson Leonarde, dwellinge in Kente, but yf yt please you and the rest of your aldermen to graunte me my sute, you shall heare of him at my house at all tymes when you shall have cause to use him who is a very sufficient gentleman in any matter for your Towne, and my self shall thinke my self greatly beholdinge to you."

1586, February 3; the Court at Grenewich. The Lord High Admiral (Howard of Effingham) to the Mayor and Aldermen of Southampton. Touching the difference between the Lord Admiral and the Corporation of Southampton respecting pirates' goods.

1586, February 5; London. Sir Francis Walsingham to the Mayor of Southampton. After my hartie commendacions, Whereas this bearer, Mons^r^ Dangeau, a gentleman of good quallitie and servant unto the King of Navarre, repaireth uppon occasion of busines unto the Isle of Jersey, Theise are verie earnestlie to praie you that in his passage thither he maye receave at your handes for my sake the best favor and frendshipp that you can shewe unto him: and also that you wilbe a meanes to furnish him at a reasonable price of a convenient shippe for his transportation, For the which I will thincke myself behoulding

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unto you; And so I committ you to God. From London the fifthe of Februarie 1586. Your verie loving frende, Fra. Walsyngham.

1586, February 20; . . . . The Marquis of Winchester to the Mayor and his brethren of Southampton. Warrant for the arrest and stay of "Ughtrede's bark bound of Ireland," intelligence having come to the Marquis that the said Ughtrede hath a meanyng not only to transporte grayne but also money under coulor thereof.—Also, copy of a previous warrant, dated 16 February 1586, by the Marquis to the same effect.

1586, February 22; . . . . . George Ughtrede esq. to the Mayor of Southampton. Letter respecting the vexatious and unlawful arrest of the writer's ship at the instance of the Marquis of Winchester. Averring that in respect to the arrested ship and her cargo he is acting on the authority of Her Majesty's letters under the Great Seal, and under warrants of the Lord Treasurer and Lord Admiral, the writer begs for the removal of the restraint put upon his ship (the *God Speed* of Hamton, bound for Ireland) at the order of the Marquis of Winchester. "Let me," he writes, "further advertyse you, that owre corne and goodes are aborde the shyppe, that heere are 30 poore menne att greate charges which are to goe for Her Majisteys servise, the wynde serveth fayre for the vyage as you and all mene maye see. I requyre youe to suffer the shippe to departe, as youe woll answer the defectes of her maiestyes servyses and the hynderawnces of us adventurers." On the paper appears a copy of the Lord Admiral's warrant for the passage of "The good shipp called the *God Speed* of Hamton of 40th tonns or thereabowtes, wherof John Wyse is master . . . . . licensed to depart for Irland with the goodes of Henry Ughtright and Henry Billingsley esquyers, for the repeopling of Mounster."

1587, July 7; the Court at Greenwich. Lords of the Council to the Mayor of the town of Southampton. Ordering restitution of certain raisins and other merchandizes to Mons^{r} de Bordeaux, a Frenchman, the said raisins and other things of merchandize having been taken from a French ship, wrongfully captured and carried into the Isle of Guernsey by Sir Thomas Leighton knt., under the impression that it was a Spanish vessel.

1587, July 28; Carisbrooke Castle. Sir George Carey to M^{r} Andrewe Studley, Mayor of Southampton. M^{r} Maior, Wheras yeasterdaie theare was a moste detestable robbery committed neare Christchurch uppon a French gentleman, whoe was sent over from the Kinge of Navar unto Her Majestie uppon affaires of especiall ymportaunce and secrecye; For that one of the Felons ys retired to shrowd himself in your Towne, and lieth secretly hydd in a sister's howse of his, which passeth for a maied, dwelling about 4 or 5 howses from the Watergate, whose mother one Daie of your Towne married, The offender's name being George Jhonson: Thease shalbe earnestlie for Her Majesties especiall service to requier you, to use more then ordinarie care by the assistaunce of some men of credytt, to make secreat and sufficient search for this partie and to seaze into your handes all such letters, writinges and commissions as anie wayes maie be compassed, and him to send over with them to mee, with such expedicion as possiblely (*sic*) maye be used. The service you shall doe herin to Her Majestie shalbe very acceptable. And so I committ you to the tuicion of the only Almighty. From Carisbrooke Castle the 28 of July 1587. Your very loving Friend, George Carey.

1587 August 11; Deptford. The Lord High Admiral (Howard of Effingham) to the Mayor of Southampton. Requiring the said Mayor to appear at the writer's court at Southampton and answer for "certaine

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misdemeanoures and abuses that have bin of late offered by certaine shippes belonginge to Mr Cotton."

1587, October 2; Portsmouth. The Earl of Sussex to the Mayor of the Towne of Sowthampton. After my very harty commendacions, Wheras one Henry Canter, as it is informed, and knowen to the Lords of Her Majesties most honourable privie Councell, is a notorious malefactor, and order taken for his apprehension, for so muche as he the said Henry Canter is well knowen to be come home in a Fliebote, lyenge at your Towne of Sowthampton, called the Ellyn of Weymouth and Milckam Regis, wherof one Lawrence Sprowne is Captayn, and the saied Canter appointed for Master Gonner, the owners Henry Rogers of Milckum, John Pitt, Thomas Eaton of Hampton customer, Christofer Payne and John Payne, and one John White the Master-Mate. These therfore shalbe in the Quenes Majesties name straitly to commande and chardge you that you cause diligent search to be made as well within the Towne as also in the same Fliebote and other barckes and shippes ther lyenge at Roade, and to cause hym to be apprehended and safely kepte in prison and therof to advertise me. And wheras it is also reported that Thomas Cole hath byne and is in like sorte abowte or in your towne and Libertie, either on Sea or lande, That in like sorte you cause search to be made for hym, and hym to cause to be apprehended, And herof faile you not in any wise as you will aunswere for the contrary at your perill. From Portsmouth the ij of October 1587. Your loving frynd Sussex.

1587, November 24; the Court at Ely House. The Lord High Admiral (Howard of Effingham) to the Mayor and Aldermen of Southampton. Requiring the said Mayor and Aldermen to aid and assist Simon Vincent, Frenchman and procurator for the affair, in the execution of his commission (touching "the two little ships the *Chanteresse* and the *Margaret* of Cane in Normandie, laden with wheat and other graine, lately taken at the sea and brought into the port of Southampton"), whereby the said Simon Vincent is appointed to obtain, recover and take composition and satisfaction for the said corne, distributed within the liberties of the said port. Dated from the Court at Ely House.—At the foot of the letter, a Memorandum that the Mayor and his brethren to the best of their ability assisted the said Vincent out of friendship, "but nott by vertue of the Commission," as their charters gave them no power to do so.

1587, December 8; Carisbroucke Castell. Sir George Carey to Mr Andrewe Studley, the Mayor of Southampton. Certifying the Mayor that he is misinformed respecting the powers and privileges pertaining to Mayors of Southampton as Admirals of the port, and wholly wrong and ill-directed in the matter in dispute between him and the Lord Admiral, touching "Mr John Young's prise, brought in by letters of reprisall," the writer urges Mr Studley to yield at once to the Lord Admiral, and not to offend so powerful a person by obstinate persistence in error.

1587, December 20; the Court at Somerset House. (Copy of the warrant of) Lords of Council to Robert Wedrington, one of the Messengers of Her Majesties Chamber. Requiring him to repair forthwith to Southampton, and command the Mayor of the same town to accompany him "to the Court, whear he shall undrestand at his coming the cawse of his sending for."

1587, December 26; . . . . . (Copy of Letter of) Lords of the Council to Captayne Nicholas Dawtrey. "Instruccions given by Her Majesties commandement unto Captayne Nicholas Dawtry for certain services to be done in the counties of Hampton and Dorset."

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1587, December 27; . . . (Copy of a Letter from) Lords of the Council to the Marquis of Winchester and the Earl of Sussex, Lords Lieutenant of the cos. Suthampton and Dorset. For a general muster and view of all the forces of the said county, under the observation and with counsel and aid of the letter's bearer "Captaine Nicoles Dawtrey, being a man of good experience in martial affairs;" and for the execution of all measures recommended by the same Captain Nicoles Dawtrey for putting the same counties in a condition to resist foreign invaders and defeat "sundry great preparacions in foraine partes," of which "Her Majestie hath bin of latte advertised."

1587, January 23; Winchester. The Marquis of Winchester to Mr Andrew Studlye, Mayor of Southampton. Announcing that the writer has appointed and commissioned Walter Lambert esq. to be Captain of all the able men and forces within the town of Southampton; and ordering that the said mayor "and all the inhabitantes within the saied towne and countie from the age of sixteen years to threescore be atendant, obedient, ruled and ordered by the said Capitaine in all martial affaires."

1588, March 31; Greenwich. Lords of the Council to Thomas Colstocke, one of the messengers of Her Majesties Chamber. Authorizing and instructing the said Thomas Colstocke to repair to all the port towns along the sea-coasts of Kent, Sussex, Southampton, the Isle of Wight and Dorsett, and give needful commandment to Vice-Admirals and other officers, for a general restraint of all ships, other than coasting vessels going from one port of the coast to another, in order that there may be "a sufficient store of shipps and marryners, to joyne with her Majesty's navye and serve on the seas, as occasion shall require."

1588, April 1; the court at Greenwich. Lords of the Council to the Mayor and other officers of the town of Southampton. Requiring of the said town for Her Majesty's service "two serviceable and good shippes," neither of them being of less than 60 tons' burthen, and one handsome pinnace, duly manned, victualled and furnished with munitions and necessaries for two months' service, to join with Her Highness's navy by the 25th instant; it being explained that the said requisition is made in consequence of intelligence "that the King of Spain doth augment and increase his preparations," and directed that the greater part of the charges of furnishing and maintaining the said two vessels and pinnace should be paid by those merchants of Southampton who "have sette forthe certen shippes in warlike sorte by waie of reprisall," and thereby "have receaved no small benefitt."

1588 April 16; . . . . . The Lord High Admiral (countersigned by Sir Francis Walsingham) to William Harteley, one of the Messengers of Her Majesties Chamber. Warrant to repair with all possible expedition to the Commissioners of London, Southampton and the Five Ports, "appointed for the setting forthe of shipps to joyne with Her Majesties navie on the narrow seas for the service of the realme, and to give them knowledge and warninge in Her Highness name that the same shipps and pinnaces which they are appointed by the Lords of the Counsell to furnishe maie be in a readiness at Gorend vpon the xxvijth of this present moneth at the farthest, to attend upon me and to receive no farther direction." Signed.—Yonr Loving friend C. Howard; countersigned, Fra. Walsingham.

1588, April 19; Barnelams. Sir Francis Walsingham to the Mayor and his brethren of the town of Southampton. Acknowledging the receipt of a letter in which the said Mayor and aldermen declare their inability, by reason of the poverty of the town, "to beare the charge

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requyred at their handes for the preparing and setting out of twoe shippes and a pynnaise."

1588, April 20; Caresbrooke Castle. Sir George Carey to Mr. Andrew Studley the Mayor and his brethren of the towne of Southampton. Respecting certain wines, which the Mayor and his brethren have seized as having been unlawfully bought of Captain . . . . . , and which the writer requires in rather overbearing terms to be releaased to him, as wines lawfully bought by him of a Scottish ship.

1588, October 20; the Court at St. James's. (Copy of letter from) Lords of the Council to Her Majesty's Attorney-General and Solicitor-General. Asking for the opinion of the lawyers on the matter (touching right to goods of pirates brought into the port of Southampton), in dispute between the Lord High Admiral and the Town of Southampton.

1588, December 5; the Court at Greenwiche. The Lord High Admiral (Howard of Effingham) to Mr Bullocker, the Mayor of Southampton:—Mr Maior, Nowe you maye perceave to what good effecte you have broughte your purposes againste me and my office whiche I am sure the folowers of the cause here have certified you of, And althoughe theire punishmente be but small for theire and your obstinate contemptes, yet looke not but that if this example shold not disswade you from the like you shold abide a far more greavouse and sharpe punishmente accordinge to the merite of such an offence, aswell by your personall punishmentes as losse of youre liberties and allowed privileges. And for those goodes and prisoners whiche you have so presumptuously detained from me under pretense of your owne righte nowe confuted and utterlie confounded, Theise shalbe straightlie to charge and commaund you presentlie uppon the receate herof to deliver unto this bearer my servant William Dudson aswell all those goodes and prisoners whatsoever, the ship Pines, and all thinge unto them apertayninge at such time as they were first ceased into your handes, And wheras I understand that you have with like presumption taken into your handes a wedge of gold belonginge unto my selfe and one Holidaie, theise are in like manner to charge and command you to deliver unto my saied servante Dudson the same and all other goodes that you have in your keepinge which is apertaininge unto the saied Holidaie, Whereof fayle you not at your uttermoste perille. From the Courte at Greenwiche, the 5 of December 1588.—Youre freind usinge me well, C. Howard.

Post:—You wente the laste tyme verie speedely oute of the towne, but if you dispatche not theise thinges forthwith, I will send for you with heave-an-hoe.

1588 December 13; the Court at Grenewiche. (Copy of Letter from) Lords of the Council to all Vice-Admirals, Mayors, &c. Enjoining the said Vice-Admirals, Mayors, &c. to be vigilant and active in assisting the Commissioners recently appointed for the discovery of goods taken and conveyed away by pirates, and for the apprehension of the pirates.

1588 December 29; the Temple. (Copy of Letter from) Messrs John Popham and Thomas Egerton to the Lords of Council. The joint opinion of the two lawyers on the matter, touching prises made at sea, in dispute between the Lord High Admiral and the Mayor of Southampton; whereby their lordships were certified that the Mayor was altogether in the wrong.

1588 January 26; Richmond. (Copy of the) Order of Lords of the Council, That (a controversy having arisen between the Lord High

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Admiral and the Town of Southampton touching right to pirates goods) the Mayor and aldermen of the said town shall send at or before the 10th day of February next ensuing some persons (of whom Alderman Andrew Studley is to be one) with charters &c. to establish their case, and That the Mayor aldermen and rest of the inhabitants of the said town abide by the decision of their Lordships on the matter.

1589 January . . . ; the Tower of London. Sir Owyn Hopton knt. to the Mayor of Southampton. Warrant for the apprehension of "one Rauffe Norrice late of Lymehowse in the Countye of Midds. marryner, beinge abowte the age of xxxti yeres, with a yellowe bearde, wantinge twoe fingers on one hand and one on the other," who is charged with embezzling great quantities of Her Majesty's gun-powder.—At the foot of this warrant appears the undertaking (dated at Southampton on 24 March 1589) of John Powell to answer to this charge of embezzlement in Her Majesty's Office of Thordinannce, provided the Mayor of Southampton release from durance the said Rauffe Norrice, who is guiltless of the said embezzlement, which was committed by a person who "has receaved the lawe."

1589 January 13; the Court at Richmounte. Sir Francis Walsyngham to the Mayor of Southampton. Warrant (drawn in strenuous terms) for the immediate apprehension of Gerrard Swyfte who, notwithstanding the said Mayor's representations to the contrary, is believed to be lying hid in the house of his father-in-law, one Jamwaringe; and also, in case the said Gerrard Swifte cannot be discovered and apprehended, for the apprehension and safe transmission to the Court of the said Swifte's father-in-law.

1589 January 24; the Courte at . . . . Sir George Carey to Mr Peter Stoner, Mayor, and Messrs Smyth and Eaton, customers, of Southampton. Letter of instructions that some person, described by the writer as "a very honeste man an neighbour of myn in Thislande" should be permitted to carry and pass away in the West Country "certaine maulte of his, to the quantitie of a hundred quarters, which he bought in the cuntrey and brought to your town, purposing with your leaves to passe it into the Weste Cuntrey, beinge (as I take it) a matter of course for that kinde of graine, goinge but from one Porte to another, and to relyve oure owne neighbours being people of our countrey."

1589 January 30; the Court at . . . . F. Knollys, Gregory Lovell and Alexander Hordey to the Mayor and burgesses of Southampton, Touching the provisions of wines for Her Majesty's use, in respect to which the Mayor and burgesses are said to have been wanting in forwardness and duty.

1589 February 2; the Court at Greenwich. Sir George Carey to Mr Peeter Stoner, Mayor of Sowthampton. For the free passage, without "lettes or molestacion," of the bearer of the epistle, William Ivysshe, the writer's servant and captain of the barke *Yonge*, who proposes "to take in at the Isle of Wighte certain victuall for his provision which is my adventure in this his pretended voiage."

1589 February 5; . . . . The Earl of Pembroke to the Mayor of Hampton. Thanking the Mayor for assistance rendered to his servant Vowclier, the earl begs that certain ships and goods may be stayed in the port of Southampton, until order may be taken for the protection of the rights of the writer and Sir Walter Rawleigh.

1589 February 11; Chester. Lord Howard of Effingham to the Mayor of Southampton. Expressing approval of the course taken by the Mayor

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"in dealinge with Mushgrome's man that soughte soe indirectlie the possession of the goodes broughte in by Mr Moore."

1589 February 15; Wilton. The Earl of Pembroke to the Mayor of Southampton. It having come to his hearing that the Mayor and his brethren of Southampton, without awaiting the decision of a higher court to which an application has been made in the matter, have determined to proceed to the sale of certain goods, one third part of which is claimed by him (the writer) and Sir Walter Rawleigh as pertaining of right to them, the Earl in overbearing terms orders that no wrong be done him and Sir Walter, who will remain content with nothing less than a third of the arrested goods, or a third of the money for which the whole of the goods shall be sold.

1589 February 18; . . . . Edward Hopton to the Mayor of Southampton. Touching the Lord Admiral's urgent demand for his tenth of certain goods, and the appraisement of the goods of which his lordship is entitled to a tenth. "I[am]dryven" the writer observes quaintly at the end of his epistle, "to kepe my lodging a whyle, being entred into physick: therfore I requyre you to pardon my absence."

1589 March 3; the Court at Grenewiche. Sir Francis Walsingham to the Mayor of Southampton. For the free passage out of the port of Southampton of the writer's servant, William Gilbert, who "meanyth to bringe alowte the shippe he hathe there with some parte of her ladinge for his own use."

1589 March 6; the Court at Greenwich. The Lord High Admiral (Howard of Effingham) to the Mayor of Southampton. Warrant for the delivery to Thomas Browne and Charles Evans, gentlemen, of the whole of a certain "prise of Bastard wynes and figges taken by Captaine Hayes," in order that the same may be disposed of, in accordance with an order of the Lords of the Council.

1589 March 7; the Court at Greenwich. Lords of the Council to the Deputy-lieutenants of the county of Southampton. For the appointment of Justices of the Peace and other gentlemen of the county of Southampton, dwelling near the sea-coast, to take order and make needful proclamations in ports, havens and creeks, for a general view and enrolment of all the mariners and fishermen of the said county, "to thende that there may be a good choice had of apt and sufficient men for her Majesty's service, as there shall be occasion to emploie them."

1589 March 7; my howse at Debtford. Lord Howard of Effingham, the Lord Admiral, to all his Vice-Admirals and other officers of the Admiralty, &c. Requiring them to aid the bearer of the epistle, Jaques Invance, who has been "by the French Ambassador appointed as his Deputie on the behalf of the French kinge to take and receave the on fifthe parte of all suche goodes and Frenche prises as shall happen to be taken and brought into those partes."

1589 June 4; Winchester, Sussex. The Marquis of Winchester and the Earl of Sussex to the Mayor of Southampton and the captaine of the footebandes within the towne and countie of Southampton. Letter of directions and instructions for provision of match and powder for her Majesty's service, and also for a muster and view of the trained bands within the liberty of the said towne and county of Southampton. Signed, Winchester, Sussex. Endorsed, "My L Markes and my L of Sasackes for a maystar and proveshin of povder shotte and mache."

1589 June . .; Southampton. (Rough draft of a letter from) The Mayor of Southampton and his brethren to the Lord—. "Right Honorable uppon the receipt of your Lordship's letters of the xijth of this instant,

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and your honourable promiss ther in conteyned for the benefitt of this power towne of Southampton as before uppon your honourable and kinde speaches used to some of our comburgesses about the Impost of Sweet Wynes, albeit your letters aforesaid cam verrie late fer that therle of Essex and Sir George Cary made earnest meanes for the same, yet uppon hope your Lordship will patronyse the weale and state of the said Towne, We have not onlye by our concent and the burgesses incorporated your Honour of our corporation, but alsoe granted unto your Lordship the impost of sweet wynes at suche rate as our late good Lord therle of Leycester held the same for the terme of six yeares if your Lordship so long live after the end of such terme as was graunted to the said Earle of Leycester, which we desier your Lordship to accept in as good parte as the same is ment, and praye your Lordship's resolution, and we shall rest yo^{r} Lordships reddie as dewtie requireth, &c."

1589 August . . ; the Court at Nonesuche. The Lord High Admiral (Howard of Effingham) to the Mayor, aldermen and jurates of the town of Southampton. After thanking the said Mayor aldermen and jurates for electing him into their Corporation, and granting him a lease of the Sweet Wines, the writer continues, "But whereas I finde by my Lord of Essex (whom I accompt of and love as mye dearest freind) that the said lease will greatlie pleasure him in respect of other leases which he houldeth from Her Majestie, and as I would not prejudice him in any thinge that might be for his good, beinge given to understand that he was a suitor and had some hope to have the same lease graunted unto him before his departure out of England; soe I doe surrender over into your owne handes my said lease as freelie and effectuallie as it was graunted unto me, and yet notwithstandinge will thinke my self continually as moch behouldinge unto you for the same as if I should possess and enioye it in as ample sorte, as it is graunted unto me."

1589 November 11; my howse at Barmondsbye. The Earl of Sussex to the Mayor of the Town of Southampton. For the speedy payment, by the Master and owners of the ship called *The Trewe Dealinge* of Hampton, of the money due to James Mayre, pilot, for his service in piloting the said vessel "uppon the Last Staye of the shippes at Hamton for the traunsportinge of men to Deepe."

1589 November 3; . . . Thomas West to the Mayor, controllers and searchers of the town of Southampton. Announcing the receipt of the Orders of Lords of the Council "for the restrainte of grayne and other victuall now laden, or hereafter to bee laden to be transported without speciall licence had and obteyned from some one of their Honors"; and requiring the said Mayor, controllers and searchers to take order within their port for the execution of the said orders of their Lordships.

1589 November 12; the Court at Richmond. Lords of the Council to the Marquis of Winchester, the Earl of Sussex, the Lord Bishop of Winchester, and Lord Sandes and the rest of the Commissioners appointed for the restraint of grain and victual in the County of Southampton. Requiring strict and vigilant observance of orders for restraining corn from exportation to foreign parts, their Lordships make reference to the recent rise in the prices of grain and every kind of victuals, in consequence of abuses of the late permission of the exportation of grain and other victuals "for relief of the armey sent oute of England for the aide of the Frenche Kinge."

1589 November 22; Netley. The Earl of Hertford to Mr. Peter Stoaner, Mayor of Sowthampton. Requesting that one Captain

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Gremees, now under arrest at Southampton, be forthwith sent to the writer, who has some personal dealings with the said captain. It is promised in the letter that, having settled these private matters with the captain, the Earl will return him safely to the Mayor.

1589 November 30; London. Sir Julius Cæsar to Mr Peter Stoner, Mayor of Southampton. Letter of injunction that justice be forthwith done to the letter's bearer, George Hooper, in respect to his cause depending in the said Mayor's Court; with an intimation that, should the epistle fail to have the desired effect, "there will be complainte made unto the Lords of Her Majestes most Honorable Privie Counsell."

1589 December 16; the Court at Richmond. Sir Francis Walsingham to the Mayor of Southampton. Enjoining the said Mayor to assist to the utmost of his ability the bearer of the epistle, to execute a warrant for the arrest and safe conveyance to the Lords of the Council of Captain Gerard Swift, who "hath very disorderly robbed one Pierce Halle a frenchman of Deepe, and taken from him his shippe with such money and furniture as he had in her."

1589 March 22; . . . . . Sir Francis Walsingham to the Mayor of Southampton. In behalf of the writer's servant, the bearer of the epistle, who "is hardlie used by one Captaine Morris and others his parteners, who under a colour of consortshippe have caused a shippe and goodes" taken by the writer's said servant, "to be kept theare under arreste for the one halfe of the saied goodes pretended to dew unto him he said Morris and his parteners."

1590 April 27; Aberstone. The Marquis of Winchester to the Mayor and Captain of the town and county of Southampton. For the immediate calling forth and setting in arreadiness the forces of the said town, news having been received of a number of Spanish ships now at sea.

1590 May 4; . . . . Her Majesty's Commissioners for causes ecclesiastical in the diocese of Winchester to all Mayors &c. For the arrest of John Moody of Suthampton and his safe conveyance before the said Commissioners; with further order that "if he be so weake and sicklie that he cannot without daunger of his health be brought" before the same Commissioners, he shall be bound "with sufficient suerties in a round somme to Hir Highnes use, that he the said Moody shall make his perconall appearance before" them "within two daies warning to be left at his new dwelling-house in Hampton at the Palace of Woluesey near Winchester."

1590 May 14; the Court at Greenwich. The Lord High Admiral (Howard of Effingham) to the Mayor of the town of Southampton. A courteously and considerately worded letter, explaining to the Mayor that he and his brethren have no right to "intermeddle with reprisall causes."

1590 March $\frac{5}{15}$; London. Letters by John Delafin, Lorde of Beauvoir &c., ambassador of the Most Christian King with Her Majesty the Queen of England, appointing one Invance as his substitute to take and receive for the said King the fifths of certain prises due to His Majesty, to wit "a shipp of New Haven named the *Flowre de Lys*, of he burden of fowre scores tons or thereaboutes, being laden with Raisins of Maleger for a marchant named John de Palme Carille dwelling in Roan, and a barke of the burden of xx^{ti} tounes or thereaboutes laden with Orenges," the said ship and bark so laden having been taken by Wylliam Guilber, by virtue of the authority given him by the said John Delafin, Lord of Beauvoir &c. "to make war for his said Majestie againste the rebels and leggers." Dated "in London the fyfth

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and xvth of Marche olde and new stille one Thowsand fyve hundreth fowre score and tenth."

1590 March 7; . . . . Michiel Leeman to the Mayor of Hampton. Setting forth the orders of the Lords of the Privy Council for the disposition of "saertain quantite of Bastard and figgs" appertaining unto "sundrie marchantes" of Amsterdam, "in whose behalf the estates Generall of the Vnitid Provincis and the Count Mowricius have written verie aerneslie to the Loordes" of the said Council.

1592 September 3; . . . . The Marquis of Winchester to the Mayor and the Captain of Southampton. Requiring the presence of the said Mayor and Captain at Winchester, to receive important instructions; intelligence having come to the writer of the approach of a large fleet of ships, set forth by "the Spanish Kinge and legers"; their purpose doubtless being to make an attempt on the Isle of Wight or some maritime part of the county of Southampton. The superscription of the epistle closing with, "Hast, hast, hast for Life. Constables, postes, tithingmen see this letter safelie conveyed and delivered accordinge the direction att your uttermost perilles."

1592 September 6; . . . . Memorandum of instructions for the safe keeping of "the Towne and Countie of Southampton." With order for a general view by the Mayor and the Captain of the weapons and military furniture of the said town: signed Winchester.

1596 December 4; London. Frances Wilkes (Lady Wilkes) to William Wallopp esq., Mayor of the town of Southampton. In behalf of the writer's cousin Smythe, who is at law in the Mayor's court concerning a certain annuity due to him out the lands of one Mr. Crooke. Endorsed "My Lady Wilkes lres for endinge of the matter betwyne Mr. Croke and Smithe."

1596 January 16; the Court at Whitehall. Thomas Wilkes to William Walloppe esq., Mayor of Southampton. Announcing that the mayor's messenger is discharged with an answer from their Lordships that will doubtless satisfy His Worship; and giving thanks for the mayor's favour to the cause of Clement Smyth, commended to His Worship by the writer.

1599 August 8; . . . . John Jefferey, Mayor of Southampton, to all Justices of Peace &c. and all Vice-Admirals &c. For the assistance of Captain Thomas Stockwell, in the execution of his commission to set to sea in a pinnace, and ply to and fro between the coasts of England and France, in accordance with letters received by the writer from Lords of the Council, for the discovery of the movements of the Spanish fleet. With copy on the same paper of the aforementioned letters of Lords of the Council (dated from the Court at Nonesuche), requiring and commanding the said Mayor "to sett some two or three Pinnaces or Nimble vessells unto the sea out of that harborowe that maye goe to the coast of Fraunce and plye up and downe betwene that coast and ours," for the purpose of gaining intelligence of the movement of the approaching enemy.

1617 July 16; . . . . Hughe Darvall to the Mayor of Sowthampton. Giving intelligence that twelve sacks of wool have been landed at the quay of Lymington, in order that (with the connivance and aid of Mr. Asshe and others of the chief wool-merchants of Sowthampton) they may be laden and carried away by wayne in the afternoon, to the loss and injury of the town of Sowthampton in respect to customs.

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1617 October 22; . . . (Copy of the) Order of Council (touching a corporation desired by the Londoners of such as trade into Spaine and Portugall) for adoption by Mr. Secretary Lake, Mr. Chancellour of the Exchequer and Sir Edward Coke knt., to the effect "that it is neither fitt nor convenient to give way to any such Charter of Incorporacion, as it is sought by the Londoners, but to leave every man to that lyberty and freedome of trade as hath beene followed since the making of the said statute" (of 3 James I, "for the disannulling of a former charter") "and that if theire greviances be such in theire course of trade for want of government as the Merchantes of London doe complaine of," the said merchants should "make remonstrance thereof to the next Parliament, and receive such further order there as shalbe expedient."

1618 May 18; . . . . Memorandum (with signatures) of the resolution of the Merchants and Owners of Shipping of the town and port of Southampton, "That the money to be paid according to the Councelles Letters for suppressing the Pirates shall be raised ratablie uppon their goodes and marchandizes to be exported and imported unto and from this towne."

1618 February 9; the Court at Whithall. Lords of the Council to the Mayor of Southampton. Directing the Mayor to ascertain what sum the Merchants and shipowners of Southampton will contribute to the fund for suppressing pirates at sea, and more especially the pirates of Argeire and Tunis; it being expected by their lordships that the said merchants and shipowners will not contribute less than 300*l.* within the next two years towards a service, for which the merchants and shipowners of London have promised to levy 40,000*l.*

1618 February 22; Southampton. (Fair copy of letter by) The Merchants and Owners of Shipping of the town of Southampton to Lords of the Council. Declaring the readiness of the writers to contribute sums of money amounting in all to 92*l.* 3*s.* 4*d.* "towardes the performance of that worthy service" proposed to them by their Lordships' letters of the 7th [? 9th] inst.; the one half of the said sum to be levied before the 1st of next April, and the remaining half to be ready for delivery in accordance with the lordships' pleasure.—Also, under the same date, a copy of the letter addressed by Mr. Prowse, Mayor of Southampton, to the Lords of the Council; informing their Lordships that, in accordance with their letters of the 7th [? 9th] inst., he called together the Merchants and Owners of Shipping of the town of Southampton, "Whereupon as well the said Marchauntes (beinge but fewe in number, and some of them but of meane estate) as alsoe the Owners of those Shippes and Barckes which are of this Towne (being but eight, and of smale Burthen) have willingly engaged themselves under their handes to contribute towards that worthie worke of suppressing and prosecuting the Pyrates in your Honors' said letters mentioned, severall somes amounting in the whole to fourscore and twelve poundes iijs. iiijd."

1618 February 26; the Court at Whithall. Lords of the Council to the Mayor of Southampton. Acknowledging the engagement of the Merchants and shipowners of Southampton to contribute "92*l.* odd" towards the fund for suppressing pirates at sea, especially those of Argier and Tunis, their lordships require the contribution to the service to be increased by 58*l.*

1618 March 1; Southampton. (Copy of Letter by) Mr Prowse, Mayor of Southampton to the Lords of the Council. Certifying their Lordships that though, in accordance with their letters of the 26th of February he has urged the Merchants and Shipowners of Southampton to levy an

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entire sum of 300*l.* towards the fund for the suppression of pirates at sea, the whole result of his strenuous endeavours in the matter is that four of the chief merchants have undertaken to make the sum of 92*l.* 3*s.* 4*d.*, already promised, up to a total of 100*l.* for the whole service. The letter concludes with this statement of the poverty and commercial humility of the town :—"And therefore all the said Merchauntes and Owners doe nowe againe in all humblenes desire your Honours (their estates considered) to accept of this hundred pounds by such payments as aforesaid, alleadging that verie fewe of them doe use any Trade at all into the Straytes, being (as they say) debarred by the Company of Marchauntes Tradinge the Levant Seas from ymportinge any of the Commodyties of those countries into this kingdome, and even soe most humbly referring the premisses and the smalle Trade of Merchaundizinge and shipping in this towne to Your Lordship's favorable consideracions."

1618 March 10; Whithall. Lords of the Council to the Mayor of Southampton. After reflecting in severe terms on the coldness and backwardness shown by the Merchants and shipowners of Southampton, towards the expedition against pirates-at-sea, their lordships continue, "Wee are nowe to require you without further delay or excuse to proceede really to the leavyinge of the full sum required, according to the direccions of our former letters of the 9th of Februarie last, Or otherwise that yourself and twoe of the Aldermen of that towne doe make your present repare unto us, to show cause why the same is not preferred."

1618 March 20; Southampton. Schedule of "Rates agreed one for the Levying of iiic[li] to be raysed uppon the Marchantes and ownours of this towne, for a contribution towardes the suppressinge of the Turkish Pyratts, commaunded by the Lords and others of the Privie Councell &c. &c."

1618 May 22; Southampton. (Copy of Letter by) Mr. Prowse, Mayor of Southampton, to the Lords of Council. Certifying their Lordships that, having in accordance with their lordships letters of the 10th of last March called upon the Merchants and Shipowners of Southampton to levy the total sum of 300*l.* for the suppression of pirates at sea, he can only report that the said Merchants and Shipowners "have nowe agreed to add 50*l.* to the 100*l.* by them formerly promised, which 150*l.* they have sent by the bringer hereof."

1619 April 18; Whithall. Lords of the Council to the Mayor of Southampton. Announcing that, as His Majesty has determined to defer for a brief while the expedition for the suppression of pirates at sea, especially those of Argier and Tunis, "there is order taken by Privie Seale for the repayment of the money" levied and paid into the Exchequer by Merchants and shipowners of Southampton towards the charges of the said service.

1619 May 14; Southampton. (Copy of Letters of Attorney, dated by the) Mayor and bailiffs of the town of Southampton to John Fennell of London, leather-seller; empowering him to receive in their behalf the sum of 150*l.* heretofore levied and paid into His Majesty's Exchequer for the suppression of pirates at sea, order having been taken by Privy Seal for the repayment of the said sum of 150*l.* to the contributors.

1619 July 12; Southampton. (Copy of letter by) Mr. Prowse, Mayor of Southampton, to Lords of the Council. Certifying their lordships that (though the Merchants and shipowners of Southampton levied and paid into His Majesty's Exchequer, in accordance with the Lordships'

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letters, the sum of 150*l.* "towardes the suppressing of the Pirattes at Sea, especially those of Argier and Tunis," and though by letter of the 18th of last April their Lordships signified "that there was order taken by Privie Seale for repaiement of the said money") the writer has vainly endeavoured to get the promised repayment of the said money.

1632 April 30; Whitehall. Lords of the Council to the Mayor and aldermen of the town of Southampton. For the appointment of one or two fit persons to represent the said town at a conference of deputies from the ports with Lords of the Council, for the purpose of taking needful measures to secure the English Trade into France from certain hindrances and interruptions.

1632 February 28. Memorandum of Resolutions, touching "the suppressing of the Turkes of Argire and Tunnis," agreed to by "the Deputyes for the Cittye of Exon, and the Townes of Plymouth, Barnestable, Dartmouth and Waymouth, and Melcomb Regis."

1633 April 10; . . . . (Copy of) Order of Lords of Council, touching measures for the suppression of the Turkish Pirates at Argiers.

1633 May 10; . . . . (Copy of) Order of a Committee of the Lords of the Council (dated, Starchamber, 10th of May 1633), touching measures for the suppression of the Turkish pirates at Argiers.

1633 May 21; Whitehall. Lords of the Council to the Mayor and Aldermen of the Town and County of Southampton. For the appointment of one or more persons of the said town to appear as a deputation, fully authorized for that purpose, at a conference of representatives of the ports with Lords of the Council, to conclude measures for the protection of merchants and their goods from Turkish pirates, in accordance with a petition lately exhibited to His Majesty "in the name of the Inhabitants of the Westerne Ports of this Kingdome."

1633 June 29; . . . . (Copy of) Order of Council, in accordance with the Report and Humble Petition of the Deputies for the cities of London, Exeter and Bristoll, and for the towns of Plymouth, Dartmouth, Weymouth, Totnes, Barnestaple, Lyme-Regis, Dorchester, Poole and Southampton, appointed to devise and recommend measures for making repayment of moneys expended for securing the trade into France from certain hindrances and interruptions.

1636 March 22; . . . . (Copy of) Order of Council, for settling the contribution to be made by the Western Ports towards the charges for securing the trade of English merchants trading into France from hindrances and interruptions.

1636 (?) October 12; . . . . (Copy of) Order of Council made in accordance with the Petition of the Merchants of the town of Southampton to His Majesty the King, for exemption, as merchants of one of the Western Ports, from the impost put upon Bay or French Salt by Letters of Privy Seal dated 2 March 12 (?) Charles I. Also copy of the said Petition.

1637 March 30; Whitehall. (Copy of letter from) Lords of the Council to the Mayors of Chichester and Rey (*sic*). Requiring two or more persons from those towns to appear before the Council by the first day of next July to show cause "Wherefore the Marchauntes of those townes trading to France should not join and voluntaryly contribute with the merchants of London, &c. for the settling of the trade" from interruptions.

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1637 April 30; . . . . (Copy of) Order of Council for the relief of certain persons petitioning their Lordships "in the name of the French Merchantes of the Cittie of Exeter, and compleyning that diverse of the inhabitantes of the Westerne Ports and places nere adjoyning tradeing to sea doe neglect and forbear to defray the charges and expences of such as were deputed and imployed to peticion his Majestie the last year &c."

1638. Paper of "Reasons why the sole making and vending of Salt by Thomas North and his Associates from the Towne of Barwick unto Waymouth wilbe both preiudicial to his Majesties service and unto the Peticioners."

1638 April 25; [London]. The Recorder of Southampton to the Mayor of the same town. Announcing that the King has arranged "the differences concerninge the Corporation of Salters with the Scottishmen and Mr Murford," the Recorder begs that two or three of the aldermen of Southampton may be appointed to confer with him at his lodgings in the Temple, on measures to be taken for protecting the interest of Southampton in the same matter.

1638 April 28; Southampton. Paper of "Instruccions conceaved and given to Mr Nathaniell Mill and Mr Thomas Mason, two of the Aldermen of this Towne, who are deputed and authorised by this house, with the assistance of Mr Recorder, to treat with the Patentees about the Salt business."

1638 November . . . . ; [Southampton]. Complaint of the Town of Southampton against a new and irregular impost of 40*s.* a tun on wine; together with a statement of the "Reasons why the merchants of Southampton and the Countrey therabouts should not be compelled to paye 40*s.* a tonne, although the merchants and vintners of London doe paye the same."

1638 November 10; [Southampton]. Paper entitled "An humble Declaracion of the discommodities and grievances arising by meanes of the late undertakers for the sole making of Salt, togither with the remedie and meanes how that business may be setled and managed with better profitt to His Majesty and more content to the Subjectes."

1638 November 15; Audit House of Southampton. Paper of "Instruccions conceived and given to Mr Peter Legay, one of the Merchants and Burgesses of this towne, who is deputed and authorized by this House with the assistance of Mr Recorder, to treate with the Patentees about the Salt business."

1638 November 29; the Inner Starchamber. (Copy of) Order of the Board sitting in the Inner Starchamber:—"Present, Lord Treasurer, Lord Privy Seale, Lord High Chamberlain, Earl Marshall, Earl of Dorset, Lord Newburgh, Mr Secretary Windebancke. Whereas a peticion was this day presented to the Board in the name of the Maior, Bayliffs and Burgesses of the Town and County of Southampton concerning the answering of 40*s.* upon every Tonne of wine which they shall ymport or sell in gross or by retaile, Forasmuch as the peticioners do humbly desier that they may bee heard concerning the premisses, Their Lordshipps upon consideracion had thereof doe thinke fitt and order that on Sunday next in the afternoone being the second of December, they shall bee heard what they have to say therein. Entr Will: Baker."

1638 December 10; . . . . (Copy of) the Humble Petition of Merchants and owners of Ships within the townes and countyes of Southampton and Poole and the townes of Weymouth and Melcom

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Regis in Dorset, and within the Isle of Wight, to the Rt. Hon. the Lords of the Privy Council. Against "the patent intended to be graunted unto Thomas North and his associates for the making and vending of salt" at Shields.

1668 August 13; . . . . John Herne to the Worshipful William Stanley esq., alderman of Southampton. Letter touching affairs of the borough of Southampton, and more particularly the Report (copy of which appears on the document) of Sir Moundeford Bramston respecting a certain sum of 200*l.* and interest thereon from 31 March 1631, amounting to 728*l.*

(*e.*) ROLLS AND MISCELLANEOUS DOCUMENTS.

(1) — Edward III. Two portions of a roll of enrolments of deeds.

(2). 7 & 8 Henry VI. Suthampton: Particule computi *Johannis* Bentham senescalli ville Suthampton de omnibus recepcionibus, solucionibus misis et expensis suis per ipsum factis que ad dictam villam pertinent a festo Sancti Michaelis Archangeli anno regni regis Henrici Sexti post conquestum septimo usque idem festum anno revoluto.

Idem Senescallus reddit computum de xx*s.* receptis de Johanne Stafford pro annuo redditu tenementi, quod ipse inhabitat ibidem in parochia Sancti Michaelis, siti supra forum piscium, et quod tenet de Villa per indenturam ad terminum annorum,—Et de vi*s.* viij*d.* receptis de Johanne Bole dygher pro tenemento quod inhabitat quod quondam fuit Johannis Dounclon;—Et de iii*s.* iiij*d.* receptis de Benedicto Wycheford pro tenemento suo sito in parochia Ecclesie Sancti Michaelis in Vico Francisco et quod quondam fuit Johannis Boteler;—Et de vi*s.* viij*d.* receptis de Roberto Chamberleyn pro tenemento suo sito supra Gaolam ville predicte in parochia predicta;—Et de xii*d.* receptis de Johanne Phyppe pro tenemento suo, quod inhabitat, *sito* in Vico Francisco et in parochia predicta;—Et de viij*s.* receptis de *Thoma* Frelond pro tenemento, quod tenet de villa predicta per indenturam, sito in vico predicto et in parochia predicta;—Et de ij*s.* receptis de uxore Johannis Luffe pro vacua placea quam tenet de Villa per indenturam in Bolestrete juxta tenementum Walteri Dalman;—Et de vi*s.* viij*d.* receptis de Johanne Wyllyam pro quadam Gurgite sita (*sic.*) in Aqua ex opposito Ville, quam idem Johannes tenet de Villa per indenturam pro annuo redditu supradicto;—Et de v*s.* receptis de Petro Jamys pro tenemento suo sito in Vico Anglico in orientali parte ejusdem vici juxta tenementum Thome Mannyng et quod nuper inhabitavit Petrus Pyras;—Et de ij*s.* receptis de Johanne Selder pro vacua placea quam tenet de Villa super Kayam de Westheth;—Et de xx*d.* receptis de uxore nuper Thome Armorer ibidem;—Et de viij*d.* receptis de Willelmo Ledys pro alia vacua placea ibidem;—Et de xij*d.* receptis de Thoma Frelond pro alia vacua placea ibidem;—Et de xx*d.* receptis de Johanne Johan pro alia vacua placea ibidem;—Et de xx*d.* receptis de Roberto Geffrey pro alia vacua placea ibidem;—Et de xx*s.* receptis de Johanne Bolour pro annua firma Communis Molendini Aquatici subtus Altam Crucem extra Portam domus dei;—Et de xiij*s.* iiij*d.* receptis de Johanne Emory pro alta domo Turre et vacua placea, quas Isabella Notebene tenet de Villa per indenturam ex opposito Celario et Petrino domus dei;—Et de xx*d.* receptis de Johanne Kyrkeby pro parva domo aretro murum lapideum domus dei ubi idem Johannes ponit calves suas;—Et de xx*d.* receptis de eodem Johanne pro vacua placea ex opposito Hospitali Domus Dei, ubi ipse posuit moeremium suum;—Et de xl*d.* receptis de contrarotulario pro alta domo solario celario et vacua placea ex opposito

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Capelle domus dei ;—Et de iij*s.* iiij*d.* receptis de Roberto Gernesye pro Gurgite sita et fundata juxta introitum de Ichene quam tenet de Villa per indenturam ;—Et de xij*d.* receptis de Johanne Selder pro quodam gardino sibi dimisso ad terminum annorum per totam Communitatem ville, jacente aretro quoddam novum tenementum quod idem Johannes edificavit juxta portam de Symnell Strete et se extendit predictum gardinum usque ad semitam que ducit superius ad Castrum ;—Et de vi*d.* pro vacua placea juxta Molendinum Aquaticum ;—Et de xij*d.* receptis de Roberto Floryse pro vacua placea jacente supra kayam de Westheth ;—Et de viij*d.* receptis de Adam Blake pro vacua placea ibidem :—Et de . . . receptis de Willelmo Nycoll pro vacua placea supra Kayam de Westhethe juxta Rounsvale.

Summa v*li.* xiiij*s.* ij*d.*

Et de cclxxxii *li.* iij*s.* iiij*d.* ob. q^{a}. receptis hoc anno per manus Roberti Florys Ballivi ac Collectoris theolonii quarumcunque mercandisarum intrancium et exeuncium apud le Watergate, Wollebrygge, Westheth ac alibi circa Suthampton per aquam una cum firma Theolonii Aque de Lymyngton, Kyhavyn, Sharperyxe, Portesmouth, Hamele ac cum ceteris proficuis provenientibus de Cranagio, Wharvagio, Pontagio et aliis perquisitis ad Theoloneum ville predicte pertinentibus ac spectantibus ;—Et de xx*li.* receptis hoc anno per manus Adame Blake Collectoris Theolonii predicte ville de parvo Theolonio mercandisarum exeuncium per terram extra Bargate seu alibi per terram una cum Brokagio Bigarum.

Summa cccij *li.* iij*s.* iiij*d.* ob. q^{a}.

Et de viij *li.* receptis de Gregorio Catan ac Paulo Morell' pro finibus suis pro certis buttis vini de Malvesyn' forisfactis ad usum ville que vendite fuere in Aqua infra libertates contra statutum &c.—Et de xl*s.* receptis de Jacobo Spynelle pro fine cujusdam bale anisie nuper forisfacte pro interfeccione unius Januensis cum eadem . . .

Summa x*li.*

Et de x*li.* receptis per manus Petri Jamys de Paulo Morell in plenam solucionem unius anni pro integra annua firma tenementi de Westhalle sibi dimissa per Petrum Jamys tunc Maiorem termino predicto incipiente in festo Sancti Michaelis Archangeli anno regni regis Henrici Sexti octavo.

Summa x*li.*

Et de lxv*li.* receptis extra pixidem de Thesauro ville per manus Petri Jamys tunc Maioris.

xx

Summa totalis ccciiijxij*li.* xvij*s.* vi*d.* ob q^{a}.

Inde idem Senescallus computat de vi*li.* solutis Georgio Myxstawe pro uno dolio vini rubri Vascon' dato per communem consensum per manus Roberti Florys domino Duci Gloucestrie hoc anno quando venit ad Villam Suuthampton ;—Et de x*li.* xiij*s.* iiij*d.* solutis executoribus Thome Midlyngton pro annua pensione sua de ambabus Gruibus, ut patet in certis indenturis ;—Et de c*li.* solutis per manus Robert Florys Collectoris Theolonii ejusdem ville Willimo Soper ad solvendam parcellam feodi firme ejusdem anni, ut plenius patet in libro papirio de Computo eiusdem Roberti.

Summa clxvi (? cxvi) *li.* xiij*s.* iiij.

Et de iij*li.* xx*d.* solutis Johanni Chamberleyn carpynter pro maeremio ac operacione novi pontis de Bargate ;—Et de xij*d.* solutis Johanni Hekle carter ad cariandam arenam super predictum novum pontem pro una die ;—Et de x*d.* solutis Thome Portesey laborer ad laborandum

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circa eundem pontem per ij dies capienti per diem v*d.*;—Et de ix*d.* solutis Rogero Mason ibidem operanti, per unum diem ac dimidium;—Et de xi*d.* (*sic*) solutis Johanni Mason ibidem operanti per ij dies ac dimidium capienti per diem iiij*d.* ob. (*sic*);—Et de xv*d.* solutis Willimo Mason ibidem operanti per ij dies et dimidium capienti per diem vi*d.*;—Et de ii*s.* iiij*d.* solutis Roberto laborer ibidem laboranti per vij dies capienti per diem iiij*d.*;—Et xx*d.* solutis Johanni Chamberleyn pro una pecia maeremii empta ad custodiendum paviamentum ibidem.

Summa iij*li.* x*s.* v*d.*

Et de v*s.* solutis Johanni Forster et Thome Swanesy operantibus circa reparacionem Nove Stabule (*sic*) subtus altam domum sitam erga Capellam domus dei per vj dies quorum quilibet capit per diem v*d.*;—Et de v*d.* solutis pro una pecia maeremii;—Et de iij*d.* solutis pro una borda ad faciendum le Rakke ac le Manger;—Et de iiij*d.* solutis pro una cera empta pro eodem stabulo (*sic*).

Summa vi*s.*

Et de xv*d.* solutis Johanni Forster et Thome Swanesy operantibus circa reparacionem et emendacionem Gruis de Watergate quorum quilibet capit per diem v*d.* ob. videlicet per unum diem ac dimidium;—Et de viij*d.* solutis Francisco Mersshe ac Petro Carpynter operantibus ibidem per unum diem;—Et de viij*d.* solutis Johanni Duffelde carter pro cariagio maeremii illic ad levandam dictam Gruem;—Et de vi*d.* solutis pro uno potello pinguedinis porcorum empto pro eadem Grue;—Et de viij*d.* solutis Johanni Estewell pro duabus peciis maeremii emptis pro eadem Grue; Et de xxxii*s.* iiij*d.* solutis pro una cabula sive nova corda empta pro ambabus Gruibus pondere ccdi. x*li.* precio le c. xiij*s.* iiij*d.*; Et de ij*s.* iiij*d.* solutis Roberto laborer una vice laboranti circa mundacionem ambarum Cayarum per vij dies capienti per diem iiij*d.*;—Et de iiij*d.* solutis Richardo Uppe pro emendacione unius poleye pro Grue occidentali;—Et de xviij*d.* ob. solutis eidem Ricardo pro spykyngys emptis pro emendacione ferri kayarum ac graduum ibidem;—Et de viij*d.* solutis pro uno poley de novo empto pro occidentali Grue;—Et de vi*s.* solutis pro uno potello pinguedinis porcorum pro eadem Grue;—Et de xij*d.* ob. solutis Rogero Seweyne operanti circa dictas kayas per ij dies et dimidium capienti per diem v*d.*;—Et de iiij*s.* solutis Thome Pertesy ad mundandam et purgandam occidentalem kayam;—Et de ii*s.* solutis Roberto laborer ad purgandas et mundandas ambas portas de Godyshouseyate ac Westhethe ibidem laboranti per vi dies capienti per diem iiij*d.*;—Et de xx*s.* solutis Johanni Crowe pro annuo stipendio suo ad custodiendum commune orilogium;—Et de xvi*d.* solutis Thome Norman ad cariandum fimum a domo aqueducti erga ecclesiam Sancte Crucis per preceptum Maioris;—Et de xii*d.* solutis Roberto laborer ad purgandum et mundandum vicum juxta dictam domum aqueducti ibidem laboranti per iij dies;—Et de xiij*s.* iiij*d.* solutis Johanni Pole deputato domini Admiralli pro una bala de Anyse pro uno homine interfecto;—Et de vi*d.* solutis pro uno potello pinquedinis porcorum pro empto Grue de Watergate.

Summa iiii*li.* vi*s.* x*d.*

Et de xix*s.* solutis pro ix virgis et di. panni stragulati emptis pro liberata Willelmi Chamberleyn et Johannis Flemyng precio virge ii*s.*;—Et de xxij*s.* vi*d.* solutis pro vi virgis et iiiq^{a} panni viridis coloris emptis pro liberata dictorum Willelmi et Johannis precio virge iij*s.* iiij*d.*;—Et de xxx*s.* solutis pro una duodena ac una q^{a} panni coloris emptis pro liberata iiij servientium Ville;—Et de xxviij*s.* ix*d.* solutis pro xvij virgis ac i q^{a} panni stragulati precio virge xx*d.* emptis

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pro liberata dictorum quatuor servientium;—Et de iij*s.* solutis Willelmo Mose sherman pro tonsura panni stragulati de liberata Ville;—Et de ij*s.* solutis eidem Senescallo ad equitandum Sarum ad emendam liberatam predictam;—Et de xxvi*s.* viij*d.* solutis Willelmo Chamberleyn pro annuo stipendio suo;—Et de v*li.* solutis Johanni Flemyng Communi Clerico pro annuo stipendio suo;—Et de xiij*s.* iiij*d.* solutis Benedicto Wycheford Communi Atturnato Ville predicte in Communi Banco;—Et de xiij*s.* iiij*d.* solutis Johanni Hengeston Communi Atturnato Ville in Banco domini Regis;—Et de iiij*li.* vi*s.* viij*d.* solutis quatuor servientibus Ville pro annuo stipendio suo;—Et de iij*s.* iiij*d.* solutis pro furrura Communis Clerici;—Et de xiij*s.* iiij*d.* datis subinter (*sic*) ad retournandos amicos Ville in quadam Jurata inter dominum Regem ac Maiorem ac Ballivos Ville Suthampton pro bonis ac catallis Johannis Wellyng felonis qui fugam fecit propter occisionem Nicholai Peyntour, Et de ij*s.* solutis Willelmo Grene pro annuo stipendio suo ad pulsandum ad Communes Assembles;—Et de v*s.* iiij*d.* solutis per manus Petri Jamys pro quatuor virgis panni stragulati emptis pro liberâta Johannis Craneman;—Et de iiij*s.* solutis pro ij. virgis panni coloris de Monstrevyllerys emptis pro dicta liberata.

Summa xviij*li.* xiij*s.* iij*d.*

Et de xl*d.* datis per preceptum Maioris cuidam Ministrallo domini Cardinalis.

Et de xl*d.* datis per preceptum Maioris ii ministrallis domini Thesaurarii Anglie.

Et de viij*d.* solutis pro i lagena vini Vasconie data Ricardo Holte (or Hokte) Justiciario Pacis per preceptum Maioris.

Et de xvi*d.* solutis pro ij lagenis vini datis Johanni Lysle armigero.

Et de ij*s.* solutis pro iij lagenis vini datis per preceptum Maioris domino Mauricio de Berkeley.

Et de iij*s.* iiij*d.* solutis Georgio Mixstowe pro v lagenis vini expendendis super Maiorem ac socios suos in Adventu domini Ducis Gloucestrie.

Et de iiij*d.* solutis pro serevisia eodem tempore pro predicto Maiore.

Summa xiiij*s.* iiij*d.*

Et de xij*d.* solutis Johanni Helyer pro i quarterio Calcis Vive empto pro emendacione de Bargate.

Et de xij*d.* solutis Willelmo Martyn pro i novo Whelberghe.

Et de ij*s.* allocatis eidem Senescallo ad equitandum Sarum ad emendam liberatam officiariorum ville.

Summa iiij*s.*

Et de ij*s.* vi*d.* solutis per manus Willelmi Chamberleyn pro uno brevi de libertatibus allocandis directo Justiciariis de Banco domini Regis ad Cartam Ville coram eis allocandam;—Et de ij*s.* vi*d.* solutis per manus prefati Willelmi pro i alio brevi de eadem Natura directo Justiciariis de Communi Banco super allocacionem carte predicte;—Et de iiij*s.* solutis per manus prefati Willelmi Thome Haseley pro scripcione unius brevis directi 'Offic' de Bayona' sub magno Sigillo pro libertatibus dicte carte ibidem allocande;—Et de viij*d.* datis per manus prefati Willelmi clericis predicti Thome Haseley;—Et de xx*s.* solutis per manus prefati Willelmi pro feodo dicti Magni Sigilli;—Et de xl*d.* datis per manus prefati Willelmi Thome Rolfe ad essend' de Consilio eiusdem Ville in Banco domini Regis super allocacionem carte predicte;—Et de xl*d.* datis . . . . Johanni Vampage pro consilio suo in eadem materia;—Et de v*d.* solutis pro vino dato Hugoni Holcote Capitulari Clerico de Banco domini Regis;—Et de ij*s.* solutis in eodem Banco pro Waranto de Atturnato recepto pro Waltero Fetplace ac aliis costagiis ibidem;—Et de

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xiiij*d.* ob. solutis in uno gentaculo dato predicto Hugoni Holcote ac Andree Hennescote ac aliis;—Et de ij*s.* solutis pro scrutinio prime allocationis carte predicte;—Et de vi*d.* solutis pro copia dicte allocacionis;—Et de ii*s.* vi*d.* solutis pro i brevi pro dicta carta allocacionis coram Justiciariis Assisarum in comitatu Suthampton;—Et de iij*d.* ob. solutis in vino dato Hugoni Holcote;—Et de xiij*s.* iiij*d.* datis predicto Hugoni pro irrotulacione dicti Recordi quando libertas Ville super cartam allocata fuit;—Et de vi*s.* viij*d.* solutis Andree Pylle clerico Rotulorum pro feodo suo super eodem Recordo;—Et de xl*d.* solutis clerico dicti Andree pro feodo suo super eodem Recordo;—Et de i*d.* soluto pro sigillacione eiusdem Recordi directi Maiori et Ballivis Ville Suthampton;—Et de iij*s.* iiij*d.* solutis per manus Willelmi Chamberleyn Nicholao Conyston ad essend' de Concilio Ville;—Et de xl*d.* solutis Troket pro irrotulacione placiti;—Et de xiij*s.* iiij*d.* solutis pro eadem materia Johanni Aglyon;—Et de xii*d.* solutis pro i pari ciroticarum dato Attournato domini Regis, ut plenius patet in iij cædulis presentibus consutis.

Summa iiij*li.* iii*s.*

(The three schedules of particulars still remain attached to the Roll.)

Et de xxx*s.* solutis in diversis expensis ac solucionibus factis circa Anniversarium Johannis Malmeshylle.

Et de vi*s.* viii*d.* solutis Johanni Stonhard latamo (*sic*) operanti circa domum Aqueducti per xij dies, capienti per diem vi*d.*;—Et de vi*s.* viii*d.* solutis Johanni Norton operanti ibidem per xij dies;—Et de vi*s.* viij*d.* solutis Willelmo Mason operanti ibidem per xij dies;—Et de iiij*s.* solutis Thome Patryngton operanti ibidem per xii dies;—Et de xii*s.* solutis Johanni Stonard operanti ibidem alia vice a xxvi die Februarii usque xxvi diem Marcii;—Et de x*s.* vi*d.* solutis Johanni Norton operanti ibidem per iii septimanas ac iij dies;—Et de xij*d.* solutis Willelmo Mason operanti ibidem per ij dies;—Et de iiij*s.* viij*d.* solutis Ricardo Wherewell operanti ibidem per i mensem, capienti per septimanam xiiij*d.*;—Et de iii*d.* solutis pro i borda empta ad idem opus;—Et de vi*d.* solutis Johanni Duffeld pro cariagio ii carectarum zabuli ac i carecta petrarum;—Et de ii*s.* ii*d.* solutis Roberto laborer ibidem per vi dies ac dimidium, capienti per diem iiij*d.*

Summa lv*s.* j*d.*

Et de vi*s.* viii*d.* solutis Johanni Stonard latamo (*sic*) operanti circa Aqueductum per xii dies;—Et de vi*s.* viii*d.* solutis Willelmo Shorwell operanti ibidem per xii dies;—Et de iij*s.* solutis Thome Patyngton operanti ibidem per xii dies;—Et de xij*s.* solutis Johanni Stonnard operanti ibidem alia vice per i mensem;—Et de x*s.* vi*d.* solutis Johanni Norton operanti ibidem per iii septimanas et iii dies;—Et de iiij*s.* viii*d.* solutis Willelmo Shorwell operanti ibidem alia vice per i mensem;—Et de vi*s.* viii*d.* solutis Johanni Stonhard operanti ibidem alia vice per xij dies;—Et de iij*s.* solutis Johanni Norton operanti ibidem alia vice per vi dies;—Et de ii*s.* iiij*d.* solutis Ricardo Shorwell operanti ibidem alia vice per xii dies;—Et de ii*s.* viii*d.* solutis Johanni Pavyour operanti ibidem per vi dies;—Et de ii*s.* solutis Roberto laborer operanti ibidem per vi dies;—Et de vi*d.* solutis Johanni Duffeld pro ii pottys de zabulo ac i pott petrarum.

Summa iij*li.* viii*d.*

Et de vi*s.* viii*d.* solutis Johanni Stonhard operanti alia vice circa predictum Aqueductum per xii dies;—Et de vi*s.* solutis Johanni Norton operanti ibidem alia vice per x dies;—Et de ij*s.* solutis Ricardo Shore-

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well laboranti ibidem alia vice per x dies;—Et de iij*s.* iiij*d.* solutis Roberto Laborer laboranti ibidem alia vice per x dies;—Et de ix*d.* solutis Petro Carpynter operanti circa opus predictum per i diem ac dimidium;—Et de ii*s.* iii*d.* solutis Johanni Kent pro cariagio ix pottes zabuli et cleye;—Et de xij*d.* solutis Sampsom Maycok ad eundum usque Seynt Elyne Wade (?) ad emendum ibidem petras pro opere predicto;—Et de v*s.* iiij*d.* solutis Johanni Stonhard operanti alia vice circa opus predictum per viii dies;—Et de iiij*s.* iii*d.* solutis Johanni Norton operanti ibidem per viii dies ac dimidium;—Et de xviii*d.* solutis Ricardo Shorwell laboranti ibidem alia vice per viij dies;—Et de iiij*s.* vi*d.* solutis Johan' Pavyour operanti ibidem alia vice per novem dies;—Et de iij*s.* solutis Roberto laborer ibidem laboranti alia vice per ix dies;—Et de vs. solutis Ricardo Burgeys pro ferro ac operacione ii gratarum ferrearum pondere dimidii cxvi*li.* ferri;—Et de ii*s.* vi*d.* solutis pro twystys ac hokys ferri pondere xx*li.* emptis pro hostio domus Aqueducti erga ecclesiam Sancte Crucis;—Et de xiij*d.* solutis pro lx clavis ferri cum stanno dealbati emptis pro hostio predicto.

Summa . . . . .

Et de ii*s.* solutis Waltero Carpynter operanti circa clausuram subtus pontem de Bargate pro salva custodia aqueducti ibidem per iiij dies;—Et de xiij*s.* vii*d.* solutis pro cc di' iiii*li.* ferri pro factura Gratarum ferrearum predicti Aqueducti, precio C, v*s.* iiij*d.*:—Et de vi*s.* viij*d.*; solutis pro iiii^{or} quateriis calcis vive emptis ad opus predictum;—Et de xij*d.* solutis pro vino et serevisia emptis per vices pro jurata curie legalis;—Et de i*d.* soluto pro pice ac Rosyn;—Et de xxvij*s.* ii*d.* solutis Bartholomeo Plomer pro fixione et imposicione gratarum ferrearum fixarum in muro lapideo domus aqueducti;—Et de v*s.* x*d.* solutis Johanni Kyrkeby pro i quarterio Sowder empto pro fixura dictarum gratarum ferrearum; Et de v*s.* x*d.* solutis Nicholao Coursy pro i alio quarterio de Sowder empto pro opere predicto;—Et de viij*d.* ob. solutis pro pice sepo carbone ac ligno emptis pro eodem opere;—Et de xvi*d.* solutis pro iij bordys emptis de Johanne Chamberleyn pro hostio predicto;—Et de xij*d.* solutis eidem Johanni pro factura hostii predicti;—Et de ix*s.* iiij*d.* ob. solutis uni homini Wyntonie pro v quarteriis ac v b$\frac{z}{3}$ calcis vive emptis pro opere predicto precio le quarter xx*d.*;—Et de iiij*s.* viij*d.* solutis Johanni Stonard operanti circa predictam domum Aqueducti per vij dies capienti per diem viiij*d.*;—Et iij*s.* x*d.* ob. solutis Johanni Norton operanti ibidem per vij dies capienti per diem vi*d.* ob.;—Et de xvi*d.* solutis Johanni Wherewell laboranti ibidem per vij dies;—Et de iii*s.* vi*d.* solutis Johanni Pavyour operanti ibidem per septem dies capienti per diem vi*d.*;—Et de ij*s.* iiij*d.* solutis Roberto laborer ibidem laboranti per vij dies, capienti per diem iiij*d.*;—Et de x*s.* viij*d.* solutis Petro Lokyer pro factura ij gratarum ferrearum pondere c q^{a} xij*li.*; Et de vij*s.* vi*d.* solutis eidem Petro pro iij longis barris ferri ville factis pro eodem opere pondere c di xxv*li.*;—Et de viij*d.* solutis eidem Petro pro nova cera empta pro hostio domus Aqueducte predicte;—Et de xv*d.* solutis Johanni Duffeld pro cariagio vi pottes zabuli ad idem opus;—Et de xvj*d.* ob. solutis Johanni Kent pro cariagio vij pottes zabuli ad idem opus;—Et de vi*s.* viij*d.* solutis Johanni helyere Wyntonie pro iiij^{or} quarteriis calcis vive emptis pro eodem opere;—Et de xj*s.* solutis Ricardo Corneo pro xviij peciis petrarum magnarum emptis ad idem opus;—Et de vij*s.* viij*d.* solutis Waltero Stylle pro cariagio dictarum petrarum emptarum pro volta operis predicti;—Et de ij*s.* solutis Petro Jamys pro iii vacuis pipis emptis ad idem opus;—Et de iiij*d.* solutis Johanni Compton pro iiij*li.* picis;—Et de i*d.* soluto eidem Johanni Compton pro ij*li.* rosyn;—Et de i*d.* ob. solutis

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eidem Johanni pro i quarterio cere empto ad idem opus;—Et de viij*s.* solutis Johanni Stonard operanti ibidem per xij dies;—Et de vi*s.* vi*d.* solutis Johanni Norton operanti ibidem per xii dies;—Et de ij*s.* iiij*d.* solutis Johanni Wherewell laboranti ibidem per xij diesi —Et de ii*s.* ii*d.* solutis Johanni Pavyour operanti ibidem per iiij^{or} dies;—Et de v*s.* v*d.* solutis Willimo Mason operanti ibidem per x dies;—Et de v*s.* v*d.* solutis Ricardo Romsey operanti ibidem per x dies;—Et de iiij*s.* solutis Roberto Laborer laboranti ibidem per xij dies:—Et de xij*d.* solutis Ricardo Stylle in parte solucionis pro caragio magnarum petrarum emptarum apud Wathe vocatarum 'Scaplyd Stonys' pro volta predicta precio cujuslibet doliate xvi*d.*;—Et de iii*s.* x*d.* solutis eidem Ricardo per manus Johannis Compton;—Et de ii*s.* solutis Johanni Duffeld pro cariagio dictarum petrarum;—Et de x*d.* solutis Johanni Kent pro cariagio zabuli.

Summa. ix*li.* xxij*d.* ob.

Et de xi*d.* solutis per manus Johannis Compton pro C et. di.' ligni empt. ad usum Aqueducti pro plumbario;—Et de ix*d.* solutis per manus ejusdem pro C q^{a} ad idem opus;—Et de xxii*d.* ob. solutis per manus ejusdem Johannis pro xv b^{z} calcis extincte emptis ad idem opus;—Et de vi*d.* solutis per manus prefati Johannis pro. di. c. de clavis ferri vocatis Spykyngys;—Et de iij*d.* solutis per manus prefati Johannis pro di c. clavorum;—Et de xlij*s.* solutis per manus prefati Johannis pro vii^{c}. plumbi emptis de Petro Jamys ad idem opus precio c., vi*s.*;—Et de ij*d.* solutis pro i corda empta ad idem opus;—Et de xij*s.* solutis pro cc plumbi emptis ad idem opus;—Et de viij*d.* solutis pro Cligni empt. ad idem opus;—Et de vi*d.* solutis per manus eiusdem pro ij 'meylys' emptis ad idem opus;—Et de ii*s.* vi*d.* solutis sibi prefato Johanni Compton pro x*lb.* de Sowder emptis pro opere predicto;—Et de xiiij*d.* solutis per manus Johannis Compton plumbariis portatoribus et laborariis;—Et de xij*d.* solutis Willelmo Martyn pro i b^{z} salis empto ad idem opus;—Et de vi*d.* solutis pro di' c ligni;—Et de i*d.* soluto pro candelis;—Et de v*d.* solutis per manus ejusdem pro i vanga empta ad idem opus.

Summa iii*li.* v*s.* viii*d.* ob.

Et de xxx*s.* solutis per manus Petri Jamys pro i capite porci vini Vasconie dato per communem consensum Willimo Brokays vicecomiti pro amicitia sua habenda in quadam jurata retournata inter dominum Regem et Villam Suthampton pro bonis ac catallis Johannis Wellyng &c.—Et de xiij*s.* iiij*d.* solutis per manus eiusdem Petri Willelmo Chamberleyn ad solvendum Johanni Hengescote nostro Communi Attournato in Banco Regis;—Et de vi*s.* viii*d.* solutis Clerico Justiciariorum domini Regis ad irrotulandam cartam ville.

Summa l*s.*

Et de iiij*s.* solutis per manus prefati Petri Johanni Saundrez de la Pole pro iiij doliatis petrarum emptis pro opere de Bargate;—Et de xi*s.* solutis ac datis pro honore Ville xi ministrallis domini Regis ac Ducis Eborum;—Et de v*li.* xiij*s.* iiij*d.* solutis Johanni Bartelot per manus prefati Petri pro composicione muri lapidii juxta Castrum in grosso pro labore suo;—Et de xl*d.* datis eidem Johanni per manus prefati Petri pro rewardo suo in eodem opere;—Et de viii*d.* datis per vices per manus prefati Petri dicto Johanni et sociis suis in potacione;—Et de vi*s.* viij*d.* solutis Marinariis pro cariagio dictarum petrarum ab Insula Vecta.

Summa vi*li.* xix*s.*

Et de xxx*s.* solutis per manus Petri Jamys maioris in expensis suis ac Willelmi Chamberleyn ac Johannis Flemyng pro se et eorum quinque

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famulis et eorum octo equis in equitando ad Novum Sarum ad ibidem tractandum ac concordandum cum Roberto Lange armigero pro perquisicione de Westhalle, ac pro victualibus et vino ibidem expendendis super dictum Robertum Lange ac famulos suos eadem vice ibidem morando super concordiam predictam ac domum redeundo per iiii^{or} dies;—Et de x*s*. solutis ibidem clerico Statuti Mercatoris pro ii Statutis

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Mercatoribus in quibus tenebamur eidem Roberto in summa vi*li*. pro empcione tenementi predicti;—Et de xxvi*s*. viii*d*. solutis per manus prefati Petri eidem Roberto in parte solucionis expensarum suarum pro se ac aliis feoffatis dicti tenementi ad veniendum usque Suthampton pro seisina eiusdem tenementi nobis liberanda secundum ordinacionem Consilii nostri;—Et de vi*s*. viiii*d*. solutis pro iii quarteriis avenarum emptis apud Suthampton erga adventum prefati Roberti ac feoffatorum predictorum;—Et de ii*s*. solutis pro xij burdanys feni emptis eodem tempore pro eodem Roberto;—Et de vi*d*. solutis pro stramine eodem tempore pro eodem Roberto;—Et de viij*s*. iiij*d*. solutis pro gentaculo dicti Roberti ac famulorum suorum eodem tempore in adventu suo;—Et de vi*s*. vi*d*. solutis per manus prefati Petri Jamys adventus in crastino pro alio gentaculo ejusdem Roberti ac famulorum suorum;—Et de ij*s*. viii*d*. solutis per manus prefati Petri pro iiij^{or} lagenis vini expendendis ibidem tempore deliberacionis seisine tenementi predicti;—Et de iiij*s*. ix*d*. solutis per manus prefati Petri pro alio gentaculo tempore seisine predicte;—Et de xl*d*. datis per manus prefati Petri clerico dicti Roberti pro labore suo ac pro amore dicti Roberti;—Et de xx*d*. solutis Roberto skrevener pro scripcione diversarum cartarum;—Et de xx*d*. perditis in pondere levi auri extracti extra bursam de thesauro Ville;—Et de v*li*. vi*s*. viiij*d*. solutis per manus prefati Petri eidem Roberto Lange in persolucionem expensarum suarum equitando de Wroxale in comitatu Wiltes usque Suthampton cum xii^{cim} famulis suis;—Et de vij*d*. solutis pro rubra cera emptis ad sigillandas evidencias et pro pixide empta ad

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imponendas evidencias predictas;—Et de vi *li*. solutis per manus prefati Petri Jamys Roberto Lange in persolucionem predicti tenementi de Westhalle perquisiti ad usum ville;—Et de xxx*s*. solutis Willelmo Westbury Justiciario domini Regis ad veniendum usque Wroxale usque domum Roberti Lange in comitatu Wiltes pro recognicione finis pro uxore dicti Roberti ibidem levande pro tenemento predicto ad usum ville;—Et de ix*s*. x*d*. solutis per manus prefati Petri in expensis eiusdem Petri Willelmi Chamberleyn ac Johannis Flemyng ac famulorum ac equorum suorum de Suthampton usque Godeworth in comitatu Wiltes per diversa loca;—Et de iii *li*. xiii*s*. i*d*. solutis per manus prefati in aliis expensis ipsorum Petri Willelmi ac Johannis ac aliorum famulorum ac equorum suorum redeundo de Wroxale predicta usque Suthampton ac pro empcione panni trium togarum emptarum pro eisdem Petro, Willelmo ac Johanne ad equitandum in viagio predicto, ac pro empcione iiij^{or} librarum viridis zinziberis iiij^{or} librarum piperis ac locacione sex equorum conductorum eodem tempore absque aliis equis nostris propriis ad equitandum in viagio predicto;—Et de xvi *li*. xi*s*. iiij*d*. solutis per manus prefati Petri circa reparacionem predicti tenementi de Westhall ut plenius patet in parcellis in libro papirio ejusdem Petri de expensis circa reparacionem tenementi predicti;—Et de vi*s*. viij*d*. solutis pro scripcione istius computi.

Summa . . . . . .

xx.

Summa Totalis Receptarum—ccc iiij xij*li*. xvii*s*. ob. q^{a}.

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xx.

Summa Totalis Expensarum—ccciiii iii*li.* ix*s.* vii*d.*

Et sic Summa receptarum.

Excedit Summam expensarum per ix*li.* vii*s.* xi*d.* ob. q^{a}.

It will not escape the careful inspector of this remarkable account that it contains in its several clauses divers inaccuracies, resembling the error of sixpence in the final computation. Nor will it escape due consideration that whilst the price of Westhall was 120*l.*, the costs of conveyance amounting to 13*l.* 15*s.* 9*d.*, *i.e.*, exceeded one-ninth of the value of the property. But even more noteworthy than the entries touching the charges attending the transference of this single tenement from a Wiltshire squire to the Corporation of Southampton, are the memoranda relating to moneys spent by the town in buying the favour of the Sheriff, and procuring a friendly jury in the cause between the Crown on the one hand and the Corporation on the other, in respect to a felon's goods and chattels.

(3.) 1447 A.D. Indented Roll of the Goods and Chattels of Richard Thomas of Southampton, merchant, recently deceased.

(4.) — Edward IV. to William IV. Large Roll-Bundle of Exchequer Quietuses.

(5.) 1548 to 1633 A.D. Bundle of miscellaneous rolls (some of them dateless), comprising (*a*) The Roll of Assessments of 1548 A.D., for bringing water into the town; and (*b*) The Roll of Assessments and also of Voluntary Contributions towards the establishment and maintenance of the Workhouse, in 1632–3 A.D.

(6.) 1563 to 1592 A.D. Tax Books; comprising a Subsidy Roll of 1563 A.D. and the Roll (1592 A.D.) of the moneys collected in the town of Southampton for the payment of a Tenth and Fifteenth; with five other dateless rolls of the same kind.

(7.) 1568–1672 A.D. Stall-and-Art Rolls of the years 1568, 1584, 1590, 1591, 1598, 1613, 1628, 1646, 1648, 1650, 1657, 1669, 1670, 1671, 1672 A.D.; with seven other dateless rolls of the same kind.

(8) 1568 to 1842 A.D. Sessions' Rolls in fifteen bundles; of the years —1568, 1588, 1601, 1607, 1608, 1617, 1622, 1634, 1637, 1641, 1643, 1646, 1657, 1663, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1681, 1682, 1683, 1684, 1686, 1687, 1689, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1701, 1702, 1703, 1704, 1705, 1706, 1708, 1709, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1722, 1723, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1796, 1797, 1801, 1802, 1803, 1806, 1808, 1809, 1810, 1811, 1812, 1813, 1818, 1822, 1823, 1824, 1825, 1827, 1829, 1830, 1831, 1832, 1833, 1841, 1842 A.D.—With Oaths and Declarations Rolls of—1754, 1764–6, 1769, 1783, 1784, 1786, 1787, 1788, 1789, 1790, 1791, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1801, 1802, 1806, 1822 A.D.

(9.) 1592 to 1661 A.D. Scavengers' Rolls *alias* Scavage Rolls, of—1592–3, 1593–4, 1596–7, 1598–9, 1601–2, 1604–5, 1605–6, 1610–11, 1611–12, 1612–13, 1613–14, 1616–17, 1617–18, 1618–19, 1633–4, 1634–5, 1660–1 A.D.

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(10.) 1595–6 A.D. Roll of the Moneys collected for the Relief of the Poor in the town of Southampton, for a single year.

(11.) 1604 to 1650 A.D. Three Bundles of Private Nomination Rolls, of the periods 1604–20, 1639–59, and 1660–80 A.D.

(12.) 1606 A.D. Copy of the Ninety-six Ordinances, made during the Mayoralty of Thomas Owerey (temp. Henry VII.) or in later time; with the Order made in 1606 A.D. by the Mayor and others, for the Confirmation of the same ordinances for the good government of the town.

Together with this miscellaneous assemblage of Rolls, may be grouped for the reporter's purpose the following miscellaneous collection of sets of papers in bundles:—

(1.) 1566 to 1663 A.D. Divers papers, including (*a*) Matters touching the Testament of Sir Thomas White, knt., Alderman of London, 1566 A.D.; and (*b*) Drafts of the Inquisition and Decree touching the Mills and Dunch Charities 1663 A.D.

(2.) 1570 to 1766 A.D. Mayors' and Stewards' Vouchers in thirty bundles, marked on the wrappers for the following years or terms of years,—1570, 1577, 1603, 1606–13, 1607, 1608, 1610, 1611, 1611–1701, 1612, 1613, 1614, 1615, 1618, 1622, 1626, 1626–7, 1631, 1661–2, 1666, 1670, 1691, 1700, 1701, 1706–7, 1709, 1739–74, 1741, 1759–66 A.D.

(3.) 1571 to 1761 A.D. Eight bundles of Letters and miscellaneous papers, touching the affairs of the town of Southampton, marked on the wrappers for the following sets of years:—1571–1667, 1579–1665, 1589–1623, 1599–1606, 1600–1685, 1660–1765, 1666–81, 1711–61 A.D.—Save that all matters of historic interest have been withdrawn from them, and placed amongst the 'Choice Unbound Writings,' these bundles of multifarious documents remain in the condition in which they came under the present reporter's notice.

(4.) 1574 to 1802 A.D. "Sweet Wines" Writings; *i.e.* Letters, indentures, and accounts (with other documents), touching the Sweet Wines Grants.

(5.) 1589 to 1789 A.D. Eleven Bundles of Town Court Pleadings, of the following sets of years:—1589–96, 1646–53, 1661–1744, 1664–77, 1668–95, 1675–1764, 1680–85, 1699–1703, 1708–13, 1723–34, 1759–66 A.D.—Also a Bundle of Lists of Jurors in the Town Court, of 1669, 1670, 1671, 1672, 1673 A.D.—Also a Bundle of Admiralty Court Warrants and Miscellaneous Papers of the years 1588, 1635, 1703, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1731, 1789 A.D.—As matters requiring no more elaborate arrangement, the writings of these bundles remain as the present reporter found them.

(6.) 1594 to 1608 A.D. The Letters and Miscellaneous Papers of Captain Thomas Stockwell of St. Mary's near the Town of Southampton: a collection of writings deserving the attention of local antiquaries and chroniclers.

(7.) 1616 to 1617 A.D. Depositions of witnesses in the cause in the Court of Star Chamber between Thomas Elliott Pltf. and Thomas Bedford and others, Dfdts.

(8.) 1622–34 A.D. Town of Southampton leather-sellers Accounts.

(9.) 1626 A.D. Papers touching Smith's Charity.

(10.) 1643 A.D. Documents (including letters) touching the estate and death of John Parkinson, of Southampton, esq., who died a "felo de

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se" in 1643 A.D.; his goods and chattels thereby becoming forfeit to the Mayor, bailiffs and burgesses of the said town.

(11.) 1662 to 1713 A.D. Papers touching the Petty Customs of Lymington.

(12.) 1673 to 1788 A.D. Two bundles of Sacrament Certificates of the years 1673–83 and 1676–1788 A.D.

(13.) 1685–7 A.D. Informations and Recognizances.

(14.) Nine printed Charts of Dutch, Danish, and other European Coasts by draughtsmen of the 17th century.

(15.) 1702 to 1800 A.D. Two bundles of Porters' Bonds of 1702–62 and 1729–1800 A.D.

(16.) 1708–56 A.D. Miscellaneous Admiralty Papers.

(17.) 1714 A.D. Town of Southampton Commoners' Oaths.

(18.) 1716–66 A.D. Examinations and informations, with other Sessions Papers.

(19.) 1716 A.D. Lymington Petty Customs: divers papers, including those of the cause in the Court of Exchequer between the Mayor, &c. of Southampton Pltfs., against Roger Beer, Dfdt., touching the petty customs of Lymington.

(20.) 1732 A.D. Papers relating to St. Michael's spire.

(21.) 1745–7 A.D. Orders of Council relating to horned cattle.

(22.) 1759–62 A.D. Flour Returns.

(23.) 1769 A.D. Dr. Speed's Papers about the paving of the town of Southampton.

(24.) 1773 A.D. Documents touching the New Audit House.

(25.) 1780 A.D. Papers respecting Freman's Charity.

(26.) 1801 A.D. Papers touching the Fishery Bounty.

(27.) Also 1600–1800 A.D. Assessments and Tax-Collectors' Books; in two large bundles, one for the 17th and the other for the 18th century accounts; the earlier bundle containing a few lists and papers of the 16th century, whilst a few of the matters in the later bundle pertain to opening years of the 19th century.

At the close of this account of an unusually interesting collection of municipal muniments, whilst expressing my sense of obligation to the members of the Town Council and other inhabitants of Southampton, for services that lightened my official work, and for civilities that rendered my sojourn in Hampshire a period of enjoyment, I may add for the reader's satisfaction, that, since I inspected the manuscripts, measures have been taken to put the more remarkable of the charters, letters patent, and historic indentures under the view of all visitors of the Municipal Buildings, and to render the whole body of writings accessible to students on reasonable terms and conditions.

JOHN CORDY JEAFFRESON.

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THE MANUSCRIPTS BELONGING TO THE CORPORATION OF THE BOROUGH OF KING'S LYNN CO. NORFOLK.

MSS. OF THE BOROUGH OF KING'S LYNN.

Few of our provincial boroughs possess muniments of greater value to the constitutional historian than the manuscripts to which public attention is here invited. Perhaps no borough of moderate population and importance has been so fortunate as Lynn Regis in the number and quality of the literary illustrators of its records. Years have passed over the graves of Mr. Hudson Gurney, who in 1832 called the attention of the Royal Society of Antiquaries to certain "Proceedings of the Corporation of Lynn Regis from 1430 to 1731;" of Mr. Daniel Gurney, who made the archives of the borough a subject of long and careful study; of the Reverend G. H. Dashwood, F.S.A., who contributed to the first volume of "Norfolk Archæology" the well known "Remarks on Subsidy Roll (*temp.* Edward I.) in the possession of the Corporation of Lynn Regis;" of Mr. Alan Swatman, a native of Lynn, whose researches in the rolls of the borough enabled him to discredit and disperse long-enduring misconceptions respecting the nature and conditions of Queen Isabella's residence at Rising Castle; of Mr. Charles Wycliffe Goodwin, another native of Lynn, who in the pages of "Norfolk Archæology" vindicated the genuineness of Cnut's charter to the monks of St. Edmundsbury, whilst imparting new interest to the so-called Hardecnut's charter of confirmation, which he demonstrated by internal evidence to be nothing more than an ingenious forgery; and Mr. Harrod, whose published "Report on the Deeds and Records of the Borough of King's Lynn" (1874), enlarged the world's knowledge of a singularly instructive body of municipal evidences. These eminent antiquaries have passed from us. But in Mr. E. M. Beloe, the learned coroner of his native town and the luminous author of "Our Borough" and "Our Lady's Hill," who was the first writer on the antiquities of the borough to display the peculiar constitution and special functions of the council of "the Twenty-Seven," Lynn is still fortunate in having a man of letters signally qualified to produce what still remains to be written, an adequate history of King's Lynn.

Lying in a county, whose antiquaries have for several generations figured in the van of archæological enquirers, it is needless to say that the Lynn archives were found by the present reporter in good preservation and order. The dark and narrow chamber in which they are kept is, no doubt, scarcely worthy of its treasures; but the late Mr. Harrod some years since catalogued and arranged the various records so effectively, that any competent searcher can without difficulty put his hand on any writing of the collection which he may wish to peruse. For the purposes of this report, the historic manuscripts so well kept and cared for may be divided into four groups,

(*a.*) *Books*,
(*b.*) *Charters, Letters Patent and Privy Seal Writs*,
(*c.*) *Rolls, from the time of Edward I. to* 1656 A.D., *and*
(*d.*) *Miscellaneous Writings, viz. Deeds of Gift, Acknowledgments, Agreements, Memoranda &c.*

Whilst the Chamberlains' Rolls and Gild Rolls afford a large number of noteworthy particulars, touching the social manners, commercial affairs and political interests and vicissitudes of the burghers of Bishop's Lenne in the fourteenth and fifteenth centuries, the charters, letters-patent and miscellaneous writings are especially instructive in what they tell us of the burghers' relations with their "lord" the Bishop of Norwich, and

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of the town's internal dissensions, rivalries and conflicts, when its people of the laity were divided into three mutually suspicious and antagonistic classes—the Potentiores, Mediocres and Inferiores—who throughout successive generations scowled at one another daily in their narrow lanes or by their wide water's side, and nursed their animosities in petty quarrels, that were not the less bitter for being under ordinary circumstances bloodless. To some gleaners of facts for social history, these muniments will perhaps be chiefly entertaining for their exhibitions of the fireside feuds and contentions of a medieval borough. But to graver students, more especially to writers of Constitutional History, the Lynn archives will appear in a higher degree valuable for their abundance of information respecting the ways in which the parliamentary representatives of the borough were elected and rewarded from the earlier half of the fourteenth to the later half of the seventeenth century.

It is no news that in olden time the burgesses of parliament for Bishop's Lynn were now and again chosen by a committee of twelve persons, specially appointed at a Congregation or Hall Assembly for the purpose of the election. The discovery that John Waterden and Thomas Spicer were thus chosen to represent the borough at the national council in the 11th year of Henry the Sixth, and that two years and seven months later Thomas Burgh and John Warryn became burgesses of parliament for the borough, was the occasion of the communication made in 1832 to the London antiquaries by Mr. Hudson Gurney, who gained his knowledge of these elections, and of the other municipal matters noticed in his letter, not from the records of the corporation, but from Mr. Lane's manuscript-book of notes and extracts from certain of the Assembly or Congregation Books, described in this report. Mr. Gurney's letter being published in the Transactions of the Royal Society of Antiquaries, its numerous items of curious information passed to the cognizance of our writers of Constitutional History, whose recognition of the value of the data thus put at their service does not appear to have moved them to seek further instruction in the Hall Books, from which the successive compilers of Mr. Lane's volume took their memoranda. It has been left for Commissions on Historical Manuscripts to ascertain the extent of the period during which the Burgesses of Parliament for Lynn appear from the borough records to have been usually, if not invariably, chosen by a committee of twelve, and the extent of the far longer period, during which the ordinary freemen of the borough had no direct voice in the election of their members of parliament, and indeed had no influence whatever on the parliamentary representation, apart from their influence in the yearly elections of the town-councillors who had a voice in the elections of the burgesses of parliament.

The earliest of the extant records touching these elections-by-committee is the Certificate [*vide* the ensuing catalogue (*d*) *Miscellaneous Writings*], from which it appears that, at an Assembly held in the Guildhall of Bishop's Linn, in the 7th year of Edward the Second, for making provision in respect to the business of the community in the King's parliament and elsewhere, authority was given to a committee of twenty-six persons to elect twelve of the more sufficient persons of the borough, to be a committee for taking order and action in the matter; that the committee so appointed by a larger committee had warranty under the common seal that their arrangements for the town's business should be adhered to by the community; and further that the whole community concurred in this assembly-order. Though the certificate

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makes no express mention of an election of burgesses of parliament, it may be assumed confidently that in making the order the municipal congregation had such an election in view. It may also be observed that, though the order (according to the certificate) was for the appointment of a committee of twelve for the conduct and execution of municipal business, the committee of twenty-six appointed a committee of thirteen individuals. Possibly this apparent discrepancy between the instructions and action of the larger committee was due to a clerical slip in the certificate. On the other hand, it may be that the committee of twenty-six deliberately exceeded their instructions, and elected a thirteenth man for the sake of his casting vote, in case the committee proper should be evenly divided on any question of the affairs. The record of the whole community's concurrence in and assent to this arrangement is a noteworthy feature of the certificate, as it affords at least presumptive evidence that in the earlier time of Edward the Second the members of the Municipal Assembly did not presume to act definitively in so important a matter without the consent of the rest of the community. It is the more worthy of consideration, because in the near future it became the practice of the Assembly to appoint from themselves a committee for choosing burgesses of parliament, without consulting the general body of the burgesses, who in the records of a later period, viz., the seventeenth-century Hall Books, are slightingly designated "the burgesses at large." The fragmentary records afford no precise information as to the commencement of the long term of generations, during which "the burgesses at large" had no personal part in the selection of their burgesses of parliament, and seem to have been wholly excluded from the parliamentary franchise by custom, that probably originated in the readiness of the inferior burghers to assent to whatever the chiefs of the community did in respect to the affairs of the king's parliament. On the 9th of October in the 48th year of Edward the Third (*vide* The Red Register), a committee of twelve members of Assembly—viz., John Wyth, Hugh de Ellyngham, Geoffrey Sharyngton, Edmund Berston, Richard Honton, John Penteney, Geoffrey Fransham, Walter Dunton, John Grantham, John Stalworth, John Loke, and Nicholas Bukworth—was appointed and sworn to elect two prudent and discreet men for the King's parliament, to be held at Westminster on the morrow of St. Edmund the King and Martyr; the result being that Robert Bathe and John Waryn were chosen and sent to represent Bishop's Lenn at the national council. The earliest memorandum of a parliamentary election in the Red Register, this entry in the Corporation's oldest book of municipal acts and proceedings is also the earliest of the borough's records of an election of two persons, with names duly given, to represent the borough at the sovereign's parliament. But henceforth such entries are frequent in the Red Register and the subsequent Assembly Books. To say that, from the closing years of Edward the Third's time to the opening of Henry the Eighth's regnal term, the Members of Parliament for Bishop's Lenn were invariably chosen by a committee of twelve would be to say something more than is certified by the fragmentary records. But the entries of the Red Register, the series of Assembly or Congregation Books, and the imperfect series of Assembly or Congregation Rolls, interlying the final date of the Red Register and the commencement of the earliest of the extant Assembly Books, justify a statement that from the time of Edward III. to the time of Henry VIII. the parliamentary representatives of Bishop's Lenn were usually chosen by a committee of twelve members of the municipal Assembly. Of the various ways in which the committee was chosen, and of the Mayor's part in choosing the committee and conse-

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quent influence on the result, adequate information is afforded by the extracts from successive Assembly Books, printed in ensuing pages of this report.

The practice of electing members of parliament by a committee of the Assembly was continued to and into Henry the Eighth's reign. On 7th January of that king's first year, a committee of twelve chose Thomas Guyborn and Francis Mondeford for burgesses of parliament. Two years later (28 January, 3 Henry VIII.) Thomas With, then mayor of the community, and Francis Mondeford were elected in the same manner to represent the borough in parliament. But on 31 March, 14 Henry VIII., instead of being elected by a committee, Thomas Miller and Richard Bewshere were chosen for burgesses of parliament. by the Burgesses of Congregation, viz. those of the burgesses who had voice amongst the rulers of the borough, either as members of "the twenty-four" or as members of "the twenty-seven." The record of this election runs thus in the Assembly (or Congregation) Book No. IV. "31 March, 14 Henry VIII. Congregation of the Burgesses held in the Gild Hall of Bishop's Lenn :—Thomas Miller (gubernator), Richard Bewshere, Thomas Leyghton, William Castell, Christopher Brodbank, Richard Peper, John Holyour (*sic*), Roger Bowesey, Robert (*sic*) Parmenter, Edward Baker, Thomas Palmer, William Crampe, William Olyett, John Dunston, William Gerves, John Judde, Humfrey Wolle, John Odam, William Wygan, William Kenette, Robert Roughton, William Hall draper, Henry Duplak, William Locklay, William Hall taylor, Peter Mowthe, John Malby junr., Robert Candeler, William Baxter, William Mowthe, Simon Thompson,—The greater part of whom, viz., Richard Peper, John Holys (*sic*), Peter (*sic*) Parmenter, William Olyett, William Gerves, John Judde, Humfrey Wolle, John Odam, William Wygan, William Kenette, Peter Mowthe, John Malby junr., Robert Candeler, William Baxter, Thomas Water, William Mowthe, Simon Thompson, Thomas Herryson, John Whyte, Robert Lambard, John Suff, John Knappe elected these two under-written for burgesses of Parliament.—Mr. Thomas Miller, gubernator, and Mr. Richard Bewshere"—two of the persons who voted with the majority being omitted from the preceding list of members present at the assembly.

Henceforth the parliamentary elections were made by the burgesses in Assembly, voting or otherwise agreeing together personally, instead of authorizing a committee to act for them in the matter. On the substitution of a court of aldermen for a court of jurats, and a common council of eighteen for a similar council of twenty-seven members, the elections of burgesses of parliament were made by the Mayor aldermen and common-councilmen, whose acts and proceedings in Assembly are often designated the acts and proceedings of "the House" or "this House," in the successive Hall Books. Chosen by "the House," acting without reference to the views and wishes of the inferior burgesses, *i.e.* the burgesses who were not members of assembly, the burgesses of parliament received their authority and instructions and wages from "the House," and on returning from the national council rendered account to "the House" of their doings at, and of the measures ordained by, the parliament. The period of their revolutionary troubles had been entered by our ancestors of the seventeenth century, before the ordinary freemen, the burgesses at large, of King's Lynn, were suffered to take a direct and personal part in the choice of their parliamentry representatives; and a noteworthy memorandum in the Assembly (or Congregation) Book No. IX. indicates with sufficient clearness, that the part taken by the burgesses-at-large in the election of members of the Long Parliament was resented by the superior people of the town

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as an offensive novelty and a dangerous intrusion on the ancient privileges of "the house." From this memorandum it appears that on 2 January 1642 an Order of the Commons in Parliament, dated 15 Oct. 1642, "was brought and produced in the howse" (*i.e.* the municipal house) "by Mr. Percevall and Mr. Toll, aldermen, in hec verba sq. :— It is this day Ordered by the Commons now assembled in Parliament, That the Maior, Aldermen and Common Counsell of the Towne of Kinges Lynne in the county of Norfolk, Shall pay and allowe out of the Towne Stock as formerly, unto John Percevall and Thomas Toll their Burgesses, For this present Parliament as lardge an allowance per diem as they have heretofore allowed any of their Aldermen that hath bene Burgesses in Parliament for that towne, Notwithstandinge the Freemen of that towne had their voyces in the choice of the said John Percivall and Tho: Toll to be their Burgesses for this present Parliament. If the Mayor of Lynne can shew any cause to the countrary, we shalbe ready to heare him;" on the receipt of which mandate from the Commons, it was ordered by the municipal Assembly "that Mr. Maior, Mr. Recorder, Mr. Doughty, Mr. May and Mr. Leake with all convenient speede shall consider of and draw up a Fittinge Answeare to present to the Honourable Howse of Commons upon the said order, and offer the same to be allowed by the howse."

At subsequent elections, however, the burgesses-at-large had no voice in the choice of members. The memorandum of the affair in Assembly (or Congregation) Book No. IX. perhaps leaves it questionable whether the mere freemen of the borough had a voice in the election in September 1649 of the Earl of Salisbury to be one of their burgesses of parliament, though I am disposed to infer their participation in the election from the terms of the order,—"That a letter be written to the Right Honble the Earle of Salisbury by the Mayor from his house, to give him knowledge that this house hath graunted him the freedom of this Burgh, and that the Cominalty of this Burgh hath elected him a Burgess of the Parliament of England." Had the earl been elected for a parliamentary burgess by the same exclusive body, that conferred the municipal franchise upon him, his election for parliament would scarcely have been attributed to the action of the "commonalty." Later elections are however expressly declared by memoranda of the same Hall Book to have been made by "the house." On 18 August 1656, Generall John Desbrow and Maior-General Phillipp Skippon were "chosen in this House to serve as Burgesses for this Burrough, in his Highnes next parliament at Westminster."

In the following month (26 September 1656) it was ordered by the municipal House, "that Mr John Horsnell of London be sent unto by this House as their Solicitor in this behalfe to attende upon the Committee of Priviledges at Westminster to make good this house's auncient Custome of electing of Burgesses to set in Parliament, and that an abbreviate of the Records be sent up to him in order to his prosecution of the same, And that in order therunto Mr New-elect Mr Joshua Greene Mr Benjamyn Holly aldermen the Towneclarke Mr Robinson Mr Pope and Mr Clampe or any four or more of them and any other of the house that please be a Committee And are desired to meete this afternoone . . . . to draw up instructions and state the buisnes of election clearly betweene this House and the Comons of this Burgh and make their report to this house the next Hall Day." This memorandum is followed in the same register by other entries touching the conflict between the municipal house and the mere freemen, as to the right of the latter to vote at elections of members of parliament.

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Generall John Desbrowe (otherwise spelt, Disbrowe) having decided to sit in parliament for the county of Somerset, and declined the seat for Lynn Regis, Sir John Thorowgood on 19 Dec. 1656 "was by this house chosen to be one of the Burgesses to serve in this present Parliam[t]" for the borough. Two years later (3 Jan. 1658) M[r] Thomas Toll and Captain Griffith Lloyd were chosen to be burgesses of parliament for the borough by "the Mayor Aldermen and Common Councell." Touching the demand of the ordinary and mere freemen to have a voice in this election, the Assembly (or Congregation) Book No X. gives this remarkable note,—"3 January 1658. About Election of Burgesses to sett in Parliament:—Whereas severall Burgesses of this Burrough of the Commons at large have this day made their requestes to this house that they might be admitted to joyn with this house in the election of Burgesses to sett in the next Parliament to be houlden at Westminster the 27th day of this instant January, It is thought fitt and ordered that the resolves of the Comittee of Priviledges of the last Parliament and the Parliamentes Orders thereupon concerning Elections be first read unto them in the open hall which is done accordingly. This day alsoe upon further debate of the aforesaid business of Election of Burgesses to sett in the next Parliament for this Burrough, it being adjudged by this house that the right of election of the said Burgesses is at present in this house according to the aforesaid order. It is therefore ordered that this house doe proceed to an election accordingly, And that in case the said Commons at large shall after such election persist in theire desires to have the precept for election of Burgesses to be read unto them, That the same be read unto them for theire satisfaction."

If the precept for the election was read to the burgesses-at-large for their satisfaction in accordance with this order of the municipal council, and afforded them any degree of momentary contentment with their electoral position, it certainly failed to reconcile them for any considerable time to their exclusion from the parliamentary franchise. For in April 1660 they renewed their demand to be regarded and dealt with as parliamentary voters, and urged it so effectually that the Mayor, Aldermen and Common Council decided to waive for once, and without prejudice to them and their successors in the future, the right of keeping elections of members of parliament to themselves. "Whereas," it is recorded in Hall Book No. X., under date of 16 April 1660, "Mr. Mayor hath this day caused a Common Hall to be warned in order to the election of Burgesses to serve in the next Parliament to be houlden at Westminster and severall of the members of the house being mett together in this house divers of the free Burgesses of this Burgh came and requested that they might be admitted to elect Burgesses for the said Parliament as their right which being taken into consideration this House doth think fitt for the present satisfaction of the people to suffer the Commons to elect, and to wave the election in this house for this present election."

The right of freemen to vote at the parliamentary elections does not appear ever again to have been seriously opposed or openly questioned. Having waived their especial and choicest privilege for once, the dominant class of the burgesses deemed it prudent and politic to surrender it altogether. Admitted to the vote on sufferance and by the special grace of their municipal betters for a single turn in 1660, the burgesses at large ever afterwards voted at the elections from which they had been so long excluded. In practice, if not in legal theory, they were admitted to the parliamentary franchise without an act of parliament for their parliamentary enfranchisement.

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Though less new and striking than the data respecting the ways in which the burgesses chose their members of parliament, the memoranda of the Hall Books, touching the payment of the chosen representatives, afford numerous matters of interest together with several particulars not wholly wanting in novelty. It is well for writers on the payment of members of parliament to know that candidates for a seat in the Commons sometimes urged their readiness to occupy it gratuitously, as a reason why their ambition should be gratified. In James the First's time, when he sought the place of Member for the Norfolk borough, Sir Robert Hitcham, the Queen's Attorney-General, commended himself to the enlightened electors of Lynn Regis by offering to serve them for nothing,—an offer of financial advantage that would doubtless be rated as corrupt practice, should the custom of paying members of parliament for their services be revived in these days of severe electoral purity. But though he took the place for nothing, the Corporation thought right to give Sir Robert at least on one occasion a handsome gratuity for his service. "Whereas," it is recorded under date of 23 July 1610, "Sir Robert Hitcham knight, the Queenes Majesties Attorney Generall is purposed to come to this Towne from the Assizes att Norwich to take his jorny to Elie where he is Judge of that Cownty Palatyne, and that the said Sir Robt. Hitcham is one of the Burgesses of this Burgh this present Parliament, and promised to take no wages for the same when he was elected, Therefore itt is agreed that the Town shall bestowe upon hym (as a gratuity) Twenty Powndes, and that he shall be intertayned by the Mayor and that the charge thereof and of his horsemeat shall be borne by the Towne."

(*a.*) *Books.*

I.—35 Edward I. to 19 Richard II. The Red Book of Bishop's Lenn.

II.—16 Richard II. to 1446 A.D. Book of the Gild of St. Giles and St. Julian: Small Folio of paper leaves, with four parchment leaves at the end of the book, setting forth the names of the brethren and sisters of the gild in the 4th year of Henry the Fourth.

III.—2 Henry VI. to 2 Victoria. Fourteen Assembly (or Congregation) Books, being registers of the acts and proceedings of Municipal Assemblies, otherwise called Congregations, viz. :—

(1.) 2–9 Henry VI. Assembly or Congregation Book No. I.
(2.) 9–29 Henry VI. " " " No. II.
(3.) 31 Henry VI. to 11 Henry VII. Assembly or Congregation Book No. III.
(4.) 12 Henry VII to 35 Henry VIII. Assembly or Congregation Book No. IV.
(5.) 35 Henry VIII. to 11 Elizabeth. Assembly or Congregation Book No. V.
(6.) 11–33 Elizabeth. Assembly or Congregation Book No. VI.
(7.) 33 Elizabeth to 9 James I. Assembly or Congregation Book No. VII.
(8.) 9 James I. to 10 Charles II. Assembly or Congregation Book No. VIII.
(9.) 10–36 Charles II. Assembly or Congregation Book No. IX.
(10.) 36 Charles II. to 4 George II. Assembly or Congregation Book (with index to contents, on the concluding leaves) No. X.
(11.) 5 George II. to 1 George III. Assembly or Congregation Book (with index to contents, in a pamphlet at the end of the volume) No. XI.

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(12.) 1–26 George III. Assembly or Congregation Book (with pamphlet index to contents at the opening of the volume) No. XII.

(13.) 26 George III. to 3 George IV. Assembly or Congregation Book (with pamphlet index to contents at the opening of the volume) No. XIII.

(14.) 3 George IV. to 11 Victoria. Assembly or Congregation Book (with pamphlet index to contents at the opening of the volume) No. XIV.

As the Red Book of Bishop's Lenn was used as an Assembly Book from 19 Edward III. to 19 Richard II. it has a title to be rated with the Assembly or Congregation Books, and honoured as the oldest of them.

IV.—1485 to 1536 A.D. Book of the Gild of St. Antony of Lenne: Small Quarto, of paper leaves in vellum cover.

V.—14 Henry VII. to 37 Henry VIII. Book of the Gild of All Saints of South Lenne: the first leaf with this heading "Nomina Fratrum et Sororum Gilde sive Fraternitatis Omnium Sanctorum de Sougth Lenne fundate in anno Domini M^mo CCCC nonagesimo octavo et anno regni Regis Henrici Septimi quarto-decimo. Georgio Pyerpounte armigero tunc Aldermanno, et primo patrono ac fundatore et inceptore dicte Gilde sive Fraternitatis."

VI.—1867 A.D. Catalogue of the MSS. of the Corporation of Lynn, exhibiting on its title-page the heraldic shield of the borough, and this lettering, "1867. Repertory of the Records and Evidences of the Borough of King's Lynn.—Henry Harrod, F.S.A."

VII.—1867 A.D. MSS. Report (in a Quarto Volume) on the Lynn MSS., made to the Corporation of King's Lynn by the same Mr. Henry Harrod, after he had catalogued and reduced the MSS. to order.

Notes on the more important of these Twenty Books, with Exemplary Matters taken from them.

(1.) The Red Book of Bishop's Lenn: A Register of Wills and Book of Remembrances from 35 Edward I. to 2 Richard II.: and an Assembly or Congregation Book from 19 Edward III. to 19 Richard II. Containing in its present state one hundred and eighty-nine numbered leaves, that have been recently repaired and bound into a substantial Russia-leather cover, this massive and stately folio is lettered on the back of the cover "The Red Register of Lynn: Temp. Ed. II., Ed. III., and Ric. II." That this lettering fails in justice to the antiquity of one of the oldest paper-books, to be found in our municipal muniment rooms, appears from the dates of the oldest of the remaining entries, and from several indications, that what is now the opening leaf of the records was in former time preceded in the volume by numerous leaves, which had perished before the register was committed to a skilful restorer.

On the dorse of what is the fourth page of the folio, appears this worn and fragmentary record of Edward the First's 35th year, ". . . . . post festum Pasche anno regni Regis Edwardi filii Regis Henrici xxxv Simon filius Reginald' le Saus venit in aulam Gilde coram Thoma de Sethfoord (? Sechfoord) tunc Maiore . . . . . tulit . . . . ptum quiete clamancie et recognovit coram tota Communitate predictum scriptum . . . . . 'tum suum per quod quidem scriptum quiet-clamavit totum jus et clamium suum de uno messuagio in villa Lenne Ricardo de Warewyk' . . . . . Notum sit omnibus Christi fidelibus presens scriptum visuris vel audituris, Ego Simon filius Reginaldi Le Saus quon-

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dam Burgensis Lenne concessi relaxavi et omnino . . . . me et heredibus meis vel meis assignatis quiet-clamavi imperpetuum Ricardo de Warwyk' burgensi Lenne et Johanne uxori ejus pro quadam pecunie summa quam michi dederunt . . . . . jus meum et clamium quod habeo seu habui vel habere potero in toto illo mesuagio cum . . . . . pertinenciis in villa Lenne Episcopi jacente in latitudine inter terram quondam . . . . . Le Spicer ex parte australi et terram quondam Johannis Piaor ex parte aquilonari, Et se extendit in longitudine a communi via de Briggegate versus orientem usque ad gutterem versus occidentem, Ita quod nec ego predictus Simon nec heredes mei nec aliquis . . . . seu pro nobis in predicto messuagio cum edificiis et pertinenciis aliquid juris vel clamii exigere . . . . poterimus in posterum, Et ego predictus Simon et heredes mei warentizabimus . . . . . messuagium cum edificiis et pertinenciis predictis Ricardo et Johanne et eorum heredibus assignatis ubicunque contra omnes gentes imperpetuum, In cujus rei testimonium huic scripto sigillum meum apposui. Hiis testibus Thoma de Sethford (? Sechford) tunc Maiore Lenne, Petro de Thornden, Johanne de Schanden, Willelmo Shillynges, Ricardo de Gerneston, Alan de Thornden, Willelmo . . . . ., Thoma de Beuseye, Thoma de Walsingham, Nicholas Bretoun, Johanne clerico et aliis. Datum Lenne die Mercurii proxima post festum Purificacionis Marie virginis anno regni Regis Edwardi filii Regis Henrici tricesimo-quinto."

Whilst the presence of this entry is of itself sufficient evidence that the book was used as a register of record something earlier than Edward the Second's accession, it is obvious that some of the fragmentary leaves at the opening and towards the close of the folio were at no distant date detached from the volume, to which they have been re-united by a dextrous craftsman. As to the precise year in which the Corporation first used the volume, which notwithstanding its magnitude may be styled the remnant of a bulkier book, no evidence is afforded either by volume itself or by the other records of the community. There is however no reason to think the book much older than the restorer thought it.

Belonging to the class of Registers, that used to be designated "Libri Remembrantiarum," this especially noteworthy folio was for some time used chiefly as a Register of Wills, affecting the transmission of real estate lying within the boundaries of the borough, and after becoming an Assembly or Congregation Book in Edward the Third's 19th year was still used as a will-register till the second year of Richard the Second, when the Mayor and Community probably began the series of testamentary enrolments on rolled membranes, of which the Wills' Roll 8–22 Richard II. (to be noticed in an ensuing section of this report) is the sole extant example. An interesting feature of the earlier testamentary records of the volume relates to the measures taken for giving due publicity to the testaments, and affording interested persons sufficient opportunity for questioning their validity. From the initial words of each of these records, it appears that no testament was approved by the Mayor, without previous proclamation by the Common Serjeant of the day, when the will would be brought before the Mayor in the Gildhall, and application made for its probate. Thus of John Ode's testament it is recorded (in Latin) :—

"On Friday next following the Feast of St. Edmund the King in the first year of the reign Edward the son of King Edward, proclamation was made by the Common Serjeant of Lenn that, if anyone wished to contradict the testament of John Ode, so that the tenements bequeathed in the said testament ought not to be seized by the legatees, that it

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would be in the Gild Hall before the Mayor of the aforesaid town of Lenn on Wednesday next following; On which day Alice who was the wife of the aforesaid John Ode brought the testament of the same John before the same Mayor. In which testament the same John bequeathed to his son John his chief messuage in Wyngate with its appurtenances, which he acquired of Andrew Bataille, to have and hold after the decease of his mother Alice, so that he shall each year give to his brother James dwelling in the order of the Preachers ten shillings for a habit, and should it happen that the same John should die without an heir of his body lawfully begotten, he willed that the aforesaid messuage should revert to his brother Michael on the underwritten condition, Also he left to his son Michael his messuage with edifices and appurtenances near the Meirisflete which is called Duffecoteyerd, which he acquired from John Cullyng, to have and hold after the decease of his mother Alice; and should it happen that the same Michael should die without an heir of his body lawfully begotten, he willed that the same messuage should revert to his nearest heir after the death of the said Alice, Also he bequeathed to his daughter Margaret twenty shillings of yearly rent to be had of the messuage of John de Thornden in Dampgate after the death of the said Alice, Also he bequeathed to his daughter Muriel twenty-three shilllings of yearly rent, to be had of the messuage of Geoffrey Le Paumer in the street of Dampgate and three shillings of the messuage of John de Siswelle in West Lenn to be had after the death of the said Alice, Also he left to his daughter Etheldred twenty-three shillings of yearly rent to be had of the tenement which is held by the heir of Walter de Swafham, and ten shillings of the tenement which is held by the heir of William de Colkirke in the parish of All Saints of Lenn, and ten shillings of the tenement which he acquired of John de Grymysby in the street which is called Heweryslane, to be had after the death of the said Alice, Also he left to his daughter Agnes twenty-eight shillings of yearly rent to be received of the tenement which Richard Murle holds, on the underwritten condition after her mother's death.

Also he willed that if it should please anyone of his daughters to enter into religion (si placuerit alicui filiarum suarum in religione intrare), it should be lawful for her to sell the tenement and rents bequeathed to her in this testament after her mother's death and in other way . . . . Also he bequeathed to his wife Alice four shops with their appurtenances over the cellar at the Greemarket (? gresmarket) for all her life, and that if the said Alice should have so great need, may which be absent, it should be lawful for her to sell the same shops for her sustenance and the sustenance of her boys, And if the aforesaid shops should not be sold, he willed that the [? money] coming from them throughout the term next following the death of the said Alice should be spent in pious uses for his soul and the soul of the same Alice, And if it should happen that any one of his daughters should die without an heir lawfully begotten of her, he willed that the bequest made to her in the same testament should be divided equally amongst her sisters. Also he bequeathed the vacant lands and tenements, one of which lies between the tenement of Thomas Deniel, which he acquired from Theobald Le . . . . and another tenement of Robert Lefgrene the clothier which he bought of Edward of Preston, and a third lying near the tenement of Richard de Gerneston which he bought of Michael Cullynges, to be sold for the payment of his debts, and the accomplishment of this testament. Which testament indeed on the aforesaid day was not contradicted. Wherefore the said Mayor diligently examined Stephen de Sherneburne and John de Hasele whether the aforesaid testament was made in the aforesaid

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form by the testator's desire, who being sworn gave the same testimony as is contained in the testament. And the same Mayor with the Alderman and Community pronounced for that testament as being lawfully proved. And they decreed seisin of the above-written tenements to aforenamed legatees and put the mayor's seal &c."

In similar manner it is recorded of the testament of William By-West-half-the-Water, proved in 1 Edward II.

"Also on Wednesday next before the Feast of Pentecost in the aforesaid year it was proclaimed, that, if anyone wished to contradict the testament of William By-West-half-the-Water, it would be in the Hall of the Gild before the aforesaid Mayor on Friday following, At which day Thomas Pleyndamour brought the aforesaid testament before the aforesaid Mayor. In which testament the aforesaid William bequeathed all his messuage in Bishop's Lenn with the quay and other appurtenances, which he acquired from Roger Heynor, to be sold by his executors for fifty marks sterling, and thereof he bequeathed to Agnes his wife ten pounds of silver, Also he bequeathed his messuage in Gewyslane, which he acquired from Alexander de la Cornere, to be sold by his executors, and that the aforesaid Alexander should have thereof the forty shillings in which he was bound to him by a certain writing, Also he bequeathed t cElena the daughter of his sister for her marriage endowment his messuage By-West-half-the-Water, which he bought of William the Chaplain. Which testament indeed was not contradicted before the aforesaid Mayor. Wherefore the aforesaid Mayor diligently examined Nicholas Fluker and John Bathe upon their oath, whether the aforesaid testament was made by the testator's wish, who being sworn gave accordant evidence as the testament required. And therefore seisin of the aforebequeathed tenements was adjudged to the legatees aforesaid and the seal was apposed &c."

The late Mr. Harrod (*vide* Report on the Deeds and Records of the Borough of King's Lynn. By H. Harrod, Esq., F.S.A., 1874. Simpkin, Marshall, and Co.) made a slip in saying "it was difficult to guess how such a name [*i.e.*, William By-West-half-the-Water's surname] came into existence;" it being obvious that the testator had in accordance with a common usage of his period taken for a surname the local designation of his chief messuage. The same painful and conscientious antiquary tripped in a more remarkable manner in saying "William By-West-half-the-Water had children who are mentioned in the Will, but to him or them I have met with no reference here or elsewhere." No such children are mentioned in the will; and as he bequeathed the messuage from which he took his surname to his sister's daughter, the fair assumption is that William By-West-half-the-Water was childless. In what he says of the records of the wills in the Red Register, Mr. Harrod was guilty of a more serious error, in remarking, "Each entry terminates with a record of the proof of the testament before the Ordinary," followed by a memorandum of the Mayor's approval; for in the earliest registrations no mention is made of probate before the Ordinary, though in respect to the subsequent registrations, it is recorded that the will had received episcopal probate before being submitted to the Mayor for approbation. The present report on the Lynn MSS. being in direct conflict with Mr. Harrod's report on other matters, the writer is under the disagreeable necessity of calling attention to the occasional inaccuracy of a published work, that notwithstanding its several slips is upon the whole not undeserving of the regard in which it is held by the archæologists of East Anglia.

From the memoranda touching John Ode's testament and William By-West-half-the-Water's testament it may be inferred that, in drawing

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such memoranda in the earlier years of Edward the Second, the keeper of the Red Register, thought it sufficient to give the mere purport and effect of the testator's language. But later in the same reign, it became the registrar's practice, in drawing an entry of testamentary record, to transcribe the ipsissima verba of those passages of the will, that affected messuages or tenements, or rents arising from messuages or tenements within the borough;—a practice followed at no great interval by the action of the Common Clerks, who thought it their duty to transcribe the enregistered wills in their entirety.

Throughout the earlier portion of what remains to us of the Red Register (viz. from p. 1 to p. 115) the entries touching wills are interspersed with transcripts of grants and agreements (municipal or private), memoranda of matters done in the Gild Hall Assemblies or the Hustings Court, and notes of affairs that were important to the people of Bishop's Lenn in the fourteenth century, such as—

(*a.*) Memorandum quod die Mercurii proxima ante festum Purificacionis beate Marie anno regni Regis Edwardi filii Regis Edwardi secundo, tempore Thome de Sethford (? Sechford) Maioris: Communa Lenne unanimo assensu consenserunt et licenciam dederunt Johanni de Walton ad faciendam quandam cameram communem cum necessariis pro aysiamento ville predicte imperpetuum duraturam in quadam venella communa inter terram que quondam fuit Deodati de Herdwykes ex utraque parte et apud orientalem . . . . super viam regalem juxta cimiterium ecclesie Sancte Margarete et apud occidentalem . . . . super magnam Rypam Lenne: Ita videlicet quod predictus Johannes nec aliquis alius in predicta camera nullam proprietatem poterunt clamare inperpetuum.

(*b.*) Memorandum that two cups of mazer, a silver wine-cup, and a vessel for holy water were taken from Ralph de Fuldone, for his arrear for talliages from the time of Thomas de Setheford (or Secheford) mayor, and that on Friday in the week of Pentecost in the 6th year of the reign of Edward the son of Edward, Henry de Holt and Thomas de Bauseye came and bought the same "vadia" for forty shillings, which they paid immediately in the time of Lambert de St. Omer then mayor.

(*c.*) 8 Edward II. Memorandum that John de Grimesby came into the Gild Hall on Wednesday next after the Feast of the Assumption of the Blessed Mary Virgin . . . . and in the presence of the community acknowledged "se fregisse sequestrum maioris," and abused him in speech, and now offered to make amends for his said transgressions to the said community, Wherefore his peers and the said community adjudged the same John should for the said transgression pay half-a-mark, and be bound firmly for the payment of one hundred shillings to the same community as often as he should do any trespass to the Mayor, bailiff or community; and for this he found sureties, namely William Dimarkes, Roger de Flitham and William de Sculton.—Followed in the register by numerous similar sentences on burgesses and others guilty of offences against the Mayor and community, or the one or other of them.

(*d.*) 8 Edward II.—Memorandum that Adam le Clerk came into the Gild Hall on Friday next before the Feast of All Saints . . . . and made his plaint before the Mayor and the Community, that Henry de Rikelinghous, Hernald Clast, Hernald le Feuere, his brother Peter, William Gun berman, Henry de Brem, and Hernald Croppe of Grippeswald with other persons (unknown) craftily entered his vessel called *the Plente* by the sea-coast as enemies, and slew the men being in the same ship, and took and carried off the same ship, together with its goods; and that he proved this by Geoffrey Coket, Peter Wippe, John de Deneby, Gostelin de Snetesham, John Shorfrend, William de Snoryng,

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Robert le Shephirde, William Bullok, Walter de Fordham, William de Waynflet, Roger de Ingham and Alexander de Geyton.

(*e.*) 17 Edward II.—Memorandum that on Wednesday in the Feast of St. Thomas the Apostle . . . . Reginald the son of Martin de Thorp came into the Gild Hall and proved his age by Martin de Thorpe his father and Thomas the clerk, who being sworn said upon their oath that he exceeded twenty-one years of age, and produced the charter and writing of quit-claim &c.—Followed in other parts of the register by numerous memoranda of similar purport and effect.

(*f.*) 9 Edward III.—Memorandum that on Friday next following the Feast of All Saints . . . . . Stephen de Kent came into the Gild Hall and acknowledged himself guilty of trespass against the Mayor and the community, in selling wine for eightpence a gallon, when all taverns were selling it for sixpence a gallon; and that the community pardoned him the same trespass, on his engagement to give the community a tun of wine, should he ever offend again in like manner.

But of all the matters, preserved in the Red Register for the information of students and the guidance of writers of constitutional history, none are more interesting and valuable than the memoranda touching elections of Burgesses of Parliament from 48 Edward III. to 17 Richard II., in the records of the earlier of which years, the searcher of the folio comes upon a Latin memorandum to the following effect:—

9 October, 48 Edward III.—On the same day there were sworn the following, to elect two prudent and discreet men for the parliament of the Lord King, to be held at Westminster on the morrow of St. Edmund the King and Martyr,—John Wyth, Hugh de Ellyngham, Geoffrey Sharyngton, Edmund Berston, Richard Honton, John Penteney, Geoffrey Fransham, Walter Dunton, John Grantham, John Stalworth, John Loke and Nicholas Bukworth, who elected Robert Bathe and John Waryn.

This record of the election of Robert Bathe and John Waryn to be burgesses of parliament is followed by similar memoranda of the following elections, each of which was made by a committee of twelve persons.

(*a.*) 50 Edward III. Election of John Dockyngg and Thomas . . . .
(*b.*) 2 Richard II. „ Nicholas de Swerdeston and Hugh de Ellyngham.
(*c.*) 3 Richard II. Election of John Brunham and Thomas de Morton.
(*d.*) 4 Richard II. „ Richard de Honton and Henry de Betele.
(*e.*) 5 Richard II. Election of Thomas Drewe and Thomas de Morton.
(*f.*) 6 Richard II. „ John Brunham and John Waryn.
(*g.*) 9 Richard II. „ John de Brandon and Thomas de Morton.
(*h.*) 11 Richard II. Election of Henry de Betele and Thomas de Morton.
(*i.*) 11 Richard II. „ Edward Belleyettere and Thomas Drewe.
(*j.*) 13 Richard II. „ Robert de Waterden and John Wace.
(*k.*) 14 Richard II. „ John Wentworth and Thomas Waterden.
(*l.*) 15 Richard II. „ Robert de Botkesham and John . . . .
(*m.*) 17 Richard II. At the congregation held on Wednesday of the Vigil of the Nativity of our Lord, 17 Richard II, There were elected for the parliament, to be held at Westminster on xv. Hillary, Thomas Drewe and Thomas Morton,—by John Keeper, Thomas Frankys, Ralph de Bedyngham, John Home, William Erl, Robert de Botkesham, Thomas Waterden, John de Botkesham, Richard Thorp, William Urry, Andrew de Sivanton and John Bolt.

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This list is not given as a complete list of the elections of Burgesses of Parliament mentioned in the Red Book of Lynn, but merely as a list of those elections, that came under the observation of the present reporter, during a deliberate, but of course cursory, inspection of the one hundred and eighty-nine numbered leaves of the register. All these fourteen elections were made by successive committees, consisting of twelve persons selected and appointed to make choice of fit and proper persons, to represent the Community of Bishop's Lenn at the national parliament. Each record gives the names of the twelve members of the electing committee; but, during his inspection of the Red Register, the present reporter came upon no memorandum touching the way and manner of choosing the several members of any one of the electing committees.

(II.) 2–9 Henry VI.—Assembly (or Congregation) Book, No. I.: erroneously lettered at the back and on one of the boards of its modern cover "1st Hen. 6th, 1422 to 29th Hen. 6th, 1450." No fair register of proceedings of Assemblies during the years indicated by the labels on the cover, or the years indicated at the head of the present entry, but a collection of more or less imperfect Year Books of proceedings at municipal congregations, stitched together with insufficient care for the chronological sequence of the sometimes fragmentary leaves, the present 4to book affords a fairly complete view of the business done at the Gild Hall Congregations during seven successive years (2–9) of Henry the Sixth; and also of proceedings at Assemblies, held on or between 7 April and 24 July, 29 Henry VI. Containing the following memoranda:—

(*a*.) 13 October, 2 Henry VI.—At the same time allowance of forty shillings is made to the Burgesses of Parliament, for arrears of expenses of the same burgesses.—Followed in later leaves of the book by numerous memoranda touching the payment of parliamentary burgesses.

(*b*.) 12 April, 3 Henry VI.—And then the Mayor exhibited the King's brief for a Parliament, running in these words, &c.—

And the Mayor chose for the election of burgesses of parliament Richard Waterden, Nicholas Aldirman, William Style and Thomas Langton, who retired together into the chamber, who chose (vocaverunt) Andrew Swartton, William Kyrton, Ralph Bedyngham, John Springwell, T. Wursted, John Systerne, John Biekieres and John Andrew, who appeared together and received their charge by the fealty which they made to the community (et receperunt onus suum per fidem quam fecerunt communitati ut, &c.), that they would elect two sufficient burgesses to attend the parliament, according to the tenor of the said brief, who elected John Copnote and Thomas Burgh.

(*c*.) 25 June, 3 Henry VI.—And there the Mayor exhibited a letter sent by the burgesses of parliament, in which they desire to have a letter of attorney, under the common seal in the name of the whole community, in accordance with a draft transmitted together with the letter, for receiving in the name of the community cccxxxiii*li*. vi*s*. viii*d*., supplied to King Henry the Fourth in his 4th year, by virtue of certain tallies delivered to the same burgesses; and in accordance with the said draft wrote in form a letter, which was there read and sealed to John Copnote, to receive from Thomas Bishop of Durham, Sir John Pelham knt., and John Leventhorp esq., executors appointed in the will of Henry late King of England after the conquest the Fourth, cccxxxiii*li*. vi*s*. viii*d*., owed by the said King for money lately lent by us the Community for the same King's use, as appears by a certain tally delivered to

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the community, and levied on Roger Galyon and Thomas Grey then collectors of customs and subsidies in the port of the Town of Lenn aforesaid at the Receipt of the Exchequer in the 4th year of the said King; of which letter a copy remains with the Common Clerk in these words:—"Know all men by these presents, That we John Parmonter mayor of Lenn in the county of Norfolk, and the whole community of the same town, have attorned and put in our place our beloved John Copnote, our true attorney to ask for and receive, in our name and for us, of the Venerable Father in Christ Thomas Bishop of Durham, Sir John Pelham knt., and John Leventhorp esq., the executors named in the testament of the Lord Henry late King of England after the conquest the Fourth, three hundred and thirty and three pounds six shillings and eight pence, owed to us by the aforesaid late King for money lent by us for the said King's use, as appears more clearly by a certain tally delivered to us and levied at the Receipt of the Exchequer on Roger Galeon and Thomas Grey, then collectors of customs and subsidies in the aforesaid port of Lenn, on the ninth day of December in the 4th year of the said late King, &c., &c. Dated at Lenn in our Gild Hall on 25 June 3 Henry VI."

(*d.*) 14 July, 3 Henry VI. Privy Seal Writ of Henry dei gracia Rex, &c. whereby, in consideration of a certain sum of one thousand marks lent for the King's use by the Mayor, sheriff and community of Norwich, the Mayor and community of Lenn, Master William Westacre, Master William Walton and Master Nicholas Somerset, all of Norfolk (five hundred marks thereof having been lent by those of Norwich, four hundred marks by those of Lenn, forty pounds by William Westacre, twenty pounds by William Walton and ten marks by Nicholas Somerset) on the security of a certain great garnished circlet of gold (unum magnum circulum aureum garnisatum), as appears more fully in certain indentures made between the Archbishop of Canterbury, John Wakering the Keeper of the King's privy seal, the aforesaid mayors, sheriff and communities, William Westacre, William Walton and Nicholas Somerset, the King grants that, in case the said circlet be not redeemed by him, his heirs or executors, within one year, half-a-year and a month, from the day on which it was received in pawn by aforesaid lenders, it shall be lawful for the same lenders to sell the same security for repayment of the moneys so lent by them; it being, however, provided that, should the circlet be sold in accordance with the terms of the concession, account is to be rendered by the vendors to the king, his heirs, executors or assigns, of the surplus of the sum for which it shall be sold over the sum of the money lent as aforesaid. Dated at Westminster.

(*e.*) 27 September, 3 Henry VI. And afterwards the Mayor sought what should be done with the male prisoner, who had maliciously allowed the salt water to enter the common ditch: and it was agreed that the culprit should be put on the pillory, and afterwards should be required to abjure the town.

(*f.*) 30 January, 4 Henry VI. And there was read in mother-tongue the King's writ for an election of burgesses of parliament . . . . . and there the Mayor chose for making the election William Style, John Rieking (?), John Saluz, Nicholas Franks, who entered the chamber together with Andrew Swanton, William Waterden, John Systerne, and Nicholas Aldirman, William Space, Thomas Botekysham, John Muryell and John Springwell; who appeared together and accepted their charge (per fidem quam fecerunt communitati), that they would elect two sufficient burgesses to attend the parliament, in

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accordance with the tenor of the said writ. Who with unanimous assent elected Bartholomew Petypas and John Parmonter for burgesses of parliament, in that year.

(*f.*) 13 February, 4 Henry VI. And it was asked if they would consent, that a letter of attorney should be made under the Common Seal, to be had by divers persons, for making suit with the authority of the whole community to the King's Council, and all persons at the congregation being for the restraint of navigation to Island, so that henceforth it should not be used, they one and all granted that they would for ever hold firm and reasonable whatever should be appointed on this matter; and also with the assent of the whole congregation they ordained, that [all persons] frequenting Island should be summoned to come to the Gildhall before the Mayor and Community, and be there forbidden to navigate to Island, under pain of forfeiture of goods and deprivation of liberty.

(*g.*) 15 April, 4 Henry VI. And there was read a letter on the part of the Duke of Exeter, for restraining ships, making ready to navigate to Islandia.

(*h.*) The Day of the Decollation of John the Baptist, 4 Henry VI. . . and afterwards, an interval having been made, ... the Common Clerk charged John Wesynham, the Alderman of the Gild of the Holy Trinity, upon his oath, that he would name and call four fit, discreet, and not suspected persons for the election of a mayor . . . . . And afterwards the Alderman took his oath in due form, and named John Wyth, Thomas Spicer, John Syff, John Saluz, who took oath and entered the chamber. And afterwards they called to themselves Thomas Gryme, Thomas Wilkynson, William . . . . . , and . . . . Body; who in the same manner swore and entered the Chamber; which . . . persons called together to themselves Thomas Langton, John Assh . . . . . Muryeil and John Perche; which twelve persons entered together. And the first four being sworn by themselves on their oath to elect a mayor, chamberlain, and other officers; and in the same manner, the second four took oath; and the third four accepted their charge together, and together entered the Chamber; and there waiting from the tenth hour to the third hour, in which time a division arose amongst the twelve sworn persons, upon the election of the sergeant-at-mace in this that he was accused "quod non fuit amicabilis proficuo communitatis, &c." And on this William Collys and . . . . Warde bore witness that the accusation was true; whereupon a great murmur now rose amongst the people. At length the same man, Robert Beer, repenting of his offence, asked pardon of the Mayor and community, and promised to stand to their order in this matter, and thus there was . . . . to the said election. And after his election he entered. Who elected . . . . Philip Franks; for chamberlains, . . . Palmer, John . . . . , John . . . William Style; for clerk, Thomas Cheuele; for serjeant-at-mace, Robert Beer; for keeper of the East Gate . . . .; for keeper of the South Gates Nicholas Borewell; for keeper of the Gates of Douzhill Yard, Thomas Groute; and for bellman, John Mordon.

The decay and defacement of the leaf render it impossible to give a perfect translation of this noteworthy record; but enough of the memorandum remains to show how the elections of officers were made in this year.

(*i.*) 17 November, 6 Henry VI. And first there was read a letter sent by the burgesses of parliament, which made mention that the

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Friars Preachers contrived a certain malicious bill, complaining to the King about the community in respect to divers transgressions.

And there it was asked if they would agree that in the name of the four hundred marks they (viz., the burgesses of parliament) should receive of the executors of the late king one hundred pounds for the pledged circlet of gold, because they were not able to get more (quia plus recipere non possint); and the whole congregation granted that the same burgesses of Parliament should receive the one hundred pounds.

(*j.*) 16 April, 6 Henry VI. And afterwards it was enquired by Philip Frank, if the community wished to consent that the hundred pounds (super circulum aureum apprestite) in the hands of John Wood (*sic*) should be received to the use of the community.

(*k.*) 17 March, 7 Henry VI. And there appeared the nominated lepers John Selander, T. Taylour, and Edmund Mundy, that their infirmity might be proved by discreet persons having knowledge in this respect (Et ibidem comparuerunt Joh. Selander, T. Taylour et Edm. Mundy leprosi nominati, ut probetur eorum infirmitas per discretas personas noticiam in hac parte habentes).

(*l.*) 2 September, 8 Henry VI.—And there was declared in mother tongue the writ for electing burgesses of parliament . . . . . And after the declaration of the writ, the Mayor chose (vocavit) for the election Andrew Swanton, Richard Lecchour, John Muriell and William Wyth, William Style, William Herson, William Coll, John Kelle, T. Wursted, John Wych, T. Langton and John Syff; Who elected John Parmonter and John Watirden.

(*m.*) Also, on one of the several misplaced leaves of the present collection, this memorandum headed "Forma Donacionis Panis Benedicti." At the aforesaid Congregacion, held on 6th October, 6 Henry VI., they determined that each and all tenements, which are leased to farm for xx *s.* per annum and more and are inhabited, although they shall be divided by the king's way, shall give "panem benedictum cum candela cerea," unless it happen that the chief tenement has different tenements annexed under one roof, pertaining to and not separate from the said Chief Tenement, in which case the principal tenement shall give "panem benedictum" for all the tenements pertaining to it, if they shall be inhabited; otherwise the tenements annexed to the value of twenty shillings amongst themselves, so that each of them be at least of the yearly rent of 6*s.* 8*d.*, shall give "panem benedictum" amongst themselves according to the rate of their farm: And if there be three tenements lying together, "unumquodque eorum ad firmam vi *s.* viii *d.* per ann. eciam si unus eorum sit valor' xiii *s.* iiii *d.* per annum, alter vero vi *s.* viii *d.*," they shall give "panem benedictum" according to rate of rent. And if the inhabitants in the same tenements shall refuse to give "panem benedictum cum candela cerea" in accordance with the aforesaid form, the common serjeant-at-mace or other officer at the mandate of the Mayor or his lieutenant for the time being shall enter into the said tenement or into the tenements of the person or persons refusing to give bread, and levy distress by all their goods and chattels there found, and shall bring the things so taken in distress to the Gildhall, there to remain until the person or persons thus refusing to give bread shall make satisfaction or pay for his offence committed twenty shillings sterling to the use of the community, and to no other uses to be converted, unless extreme poverty or other reasonable excuse should come to their aid.

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(III.)—9–29 Henry VI.—Assembly (or Congregation) Book, No. II. Though it passed long since from the hands of the corporation, and still reposes in Sir William Ffolkes's library at Hillington Hall near Lynn, I do not hesitate to deal with this folio as one of the records in the possession of the borough, because I have the best grounds for thinking that at no distant future—possibly even before the publication of this report—it will be restored to the collection of muniments to which it appertains in every sense but the strictly legal sense.

Affording evidence that in Henry the Sixth's time the electorates of the nine constabularies, endowed with the power of electing three members of each constabulary to serve in the "Common Council of Twenty Seven," seldom numbered more than twenty individuals and sometimes consisted of so few as twelve voters actually taking part in the elections, the present volume contains, with a large body of other more or less noteworthy entries, the following matters of record.

(*a.*) 12 October, 9 Henry VI.—And the Congregation also granted that the three players (histriones) shall serve the community this year for twenty-one shillings and their clothing, to be had of every house.

(*b.*) 20 December, 9 Henry VI.—And there choice was made by the Mayor of Richard Lecchour, William Style, John Muriell and John Syffe, for the election of a burgess of parliament: and those four called Andrew Swatton, William Coll, William Palmer, John Spugwell, John Masey, Hugh Crosse, John Bury, William Norfolk, who elected John Parmonter and T. Salibury.

(*c.*) 3 January, 9 Henry VI.—And there John Salus was named with assent to go over to the King of Dacia together with the Ambassador and John Muriell.

(*d.*) 14 January, 10 Henry VI.—And there election was made of divers persons to collect in the different constabularies for the making of the campanile.

„ „ And there was sealed a letter, sent to the Prior of Norwich, the tenor of which follows in these words,—Fulwurshipful and reverent Fader in God We your gostly children the Maior alderman burgeyses and all the Comons of Lynne humbly recomaund us to your good fadirhod, Besechyng that it like to your benigne grace be the avys of the richt discret and religious personys your wurthi birthern of þe covent of Norwiche at þe reverence of God in encresyng of his lovyng and devocioun of þe pepil, and for þe gret quiete and ese of your parisshens of þe same toun to graunte þat þe sacrament of Bapteme and þe sacrimentall of Purificacioun maybe ministrid to your parisshens aforesaid in your Chapell of Seynt Nicolis in þe said toun þe richt of your minister þe Cathedrall churche of Norwiche and of Saynt Margarete þe parissh churche of Lynne in all þinges alwey &c. . . . whiche goode and holy vew shal cause you gret merite for þe . . . þat we trist to God shal growe þerof. In Witness herof to þis present lettir patent We have do sett our comone seel. Yeven in our Gilde Halle þe xiiii day of January in þe x yeer of þe reigne of King Henry þe Sext.

(*d.*) 4 August, 10 Henry VI.—And there John Bampton clearly declared those things which he did with the Chancellor of the Lord King: And there was exhibited the Lord King's brief directed to the Mayor of the town of Lenn, which was read by the common clerk, being put in the mother tongue and afterwards there was exhibited and directed a close letter directed to the Mayor by the Chancellor.

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(*e.*) 3 November, 11 Henry VI.—It was ordered that the community shall give to the Lord Bishop one pipe of red wine and one vessel of Rhine-wine, and certain of the portions of oats to ten quarters, and twelve pikys, and twelve tenches and one parcel (ferndell) of sturgeon.

„ „ And there was exhibited a bill on behalf of the players (histrionum), to the effect that they desired an increase of their reward: And it was granted that each of those two should have for his fee twenty shillings and his clothing for that year, which grant shall last for that year to each; And they shall go through the town with their instruments, from the feast of All Saints to the following feast of Purification.

(*f.*) 17 June, 11 Henry VI.—And there in the first place was read a brief of the Lord King for the election of burgesses of parliament. And for the election of them the Mayor chose two of the Twenty-four, and two of the Common Council, viz. William Waterden, Richard Lecchour, John Springwell, and Nicolas Frank; and those four chose two of the Twenty-four and two of the Common Council, viz. William Herford, Andrew Swarton, John Syff, John Adams, and they (*i.e.* the eight) elected William Kirton, William Style, William Raulyn and Robert Walsyngham; Who (viz. the twelve) with unanimous assent elected John Watirden and Thomas Spicer to be burgesses of parliament.

(*g.*) Friday next after the Feast of the Purification, 12 Henry VI.—And there it was moved by the Mayor how the Lord our King intended to come to that town in the second week of Lent next coming, and how order should be taken against his arrival, whereupon it was asked what should be done in that respect. And it was agreed that order should be taken for a hundred pounds, and that those, who had been chosen to assess 30*l.*, should in like manner assess 100*l.*, the 30*l.* being omitted.

(*h.*) 4 April, 13 Henry VI.—In þe same day of þis congregacioun be þe full avyse and assent of þe xxiiii. and þe comon counseill and of all þe burgeses and merchaunts of Lenn it is playnly ordeyned graunted and appoynted þ^t^ for þe profite and welefare of þis town þis Maire Thomas Burgh shalle go in þe Kynges oure sovereyn lordes Ambassiat to Bruges in Flandres like as he is assigned be þe Kynges Comission and commaunded be a pryvie seall, And þat he for þe Wurchipp of þis town in alle pynges shall wele and honestely gone in þourneye accordyng to his office and degree as hym semeth beste, Also Walter Curson and John Bampton of Lenn clerk of þe mairalte and þe commonalte of þe same town ben chosen Proctours to gone for þis town to Bruges in Flandres aforesaid, þere to declare before oure said soverayn Lordes Ambassiatours and þambassiatours of þe Maister of Pruce and of þe Duche Hanse the grevaunces dammages and wronges and other harmes be þe same Maiester and his Sogettes and be þem off þe Hanse, done to men of þis town of Lenn and to aske restitucioun and reformacioun &c. of þe said harmes &c. as it is specified in þe proonvacie (?) under þe comon seall of þis toun made to þe said proctours, Also it is fully graunted þat þe costes and expenses of þe forsaid mater and proctours made in þis journeye and also þeyre rewaard shalbe bourne gaderd and paid be þe said merchauntes and burges of þe merchaundysez þat ben aventured to Pruce Scove to Norweye and Sweche.

„ „ On the same day John Thorysby Alderman was elected by the common assent to occupy the Mayor's office in place of the Mayor during his absence.

(*i.*) 26 January, 19 Henry VI.—On the said day was read and entertained a certain letter, sent by the Duke of Norfolk to the Mayor

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alderman and community of this town, touching the eight persons to be sent to the Lord Duke to Norwich, to confer with him there respecting certain matters touching the Lord the King and this town, when there were named by the whole congregation the following eight persons to ride to Norwich on the said business, viz.—John Waryn, Henry Thorisby, John Pygot, John Syf, Simon Draper, John Nicholasson, Robert Hunt and William Kelloc:—and Thomas Tolyot, chamberlain, is chosen to ride with the same eight persons, and to pay for their expenses in this matter out of the goods of the community.

(*j.*) 10 January, 20 Henry VI.—On that day by authority of the Lord the King's brief, directed by the Sheriff of Norfolk to the Mayor, there were elected burgesses of this town to be present at the parliament, to be held at Westminster on the day of Paul's conversion next to come.

In the first place, the Mayor, according to custom, chose for making the aforesaid election William Kyrketon, Bartholomew Colles, John Colchester, William Wareleys, who chose John Saluz, John Seyle, Hugh Crosse, Ralph Bircham, who chose John Syf, William Kellowe, Robert Sad, Th. Calbot, which twelve elected Richard Frank and Walter Curson to be burgesses of the said parliament.

On the said day, it was agreed by the assent of the whole congregation, that [the] burgesses hereafter to be chosen in this town for parliaments shall receive for their wages (viz., each of them) two shillings a day and no more in any manner: and also it was agreed that the Mayor for the time being, at the pleasure of his will, shall name, for the election of burgesses of parliament, any four persons, it shall please him to name, that is to say two of the number twenty-four and two [of] the common council being present at the congregations, whenever Burgesses of this kind shall in future be elected for parliaments. The marginal note touching this memorandum being in these words,—"Ordinacio pro vadiis burgensium parliament' hujus ville que quidem vadia extendunt se per diem ad quatuor solidos et non amplius."

The Latin of these remarkable memoranda runs thus:—"In primis Maior ut est moris vocavit pro eleccione premissa facienda Will' Kyrketon, Barth' Colles, Joh' Colchester, Will' Wareleys, qui vocaverunt Johannem Saluz, Joh' Style, Hug' Crosse, Rad' Bircham, qui vocaverunt Joh' Syf, Will' Kellowe, Rob' Sad, Th. Calbot, qui duodecim elegerunt in Burgenses dicti parliament. Ricm' Frank, Walt' Curson.

"Dicto die concordatum fuit per assensum tocius congregacionis quod burgenses in hac villa pro parliamentis imposterum eligendi percipient pro eorum vadiis quolibet die, videlicet uterque eorum, duos solidos et non amplius ullo modo, et eciam concordatum fuit quod Maior qui pro tempore fuerit ad sue libitum voluntatis nominabit pro eleccione burgensium parliamenti quatuor personas, scilicet duas de numero xxiiii^{or}, et duas de communi consilio, interessentes ad congregaciones quando hujusmodi burgenses in futuro pro parliamentis eligentur."

(*k.*) Die Jovis, next following the Feast of St. Scolastica the Virgin, 23 Henry VI.—On that day by authority of the Lord the King's brief, directed by the sheriff to the bailiff of the liberty of Lenn, there were chosen burgesses of this town, to attend the parliament to be held at Westminster on the 25th day next to come. In the first place the Mayor, according to custom chose, for making the aforesaid election, John Robynson, John Colchester, William Costyn, John Smyth, who chose John Saluz, John Pygot, William Costyn, John Smyth, who

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chose William Kellowe, Simon Pygot, William Hardy, John Dody, which twelve burgesses chose for burgesses of the said parliament Thomas Burgh and Henry Thorisby.

(*l.*) 5 August, 24 Henry VI.—On the same day it was ordered that the Mayor's sword should be borne before him with the point upward (puncto erecto) according to the grant made by the Lord King, when he was last in the town, to the Mayor.

(*m.*) Monday 5 December, 25 Henry VI.—On the same day was read what was shown to the Mayor and community by Thomas Salisbury late Mayor of this Town, that the Lord our King at his last coming to the town of his special grace granted to the Mayor and community of the said town, that henceforth the Mayor's sword should be borne before him with point erect, as appeared more fully at the congregation held on the 5th day of August last past; and that upon this the said Lord the King with the said Mayor sent a certain letter written on parchment and sealed with the King's signet, directed to the Bishop of Chichester, keeper of the Privy Seal, and in his absence to his deputy, for the carriage of the Mayor's said sword; and that afterwards the same Lord the King by his Privy Seal strictly commanded, that the Mayor's sword should not be borne before in any way, other than the way in which it was borne before the King's said last coming to the town; the tenor of the said Privy Seal being in these words:—By the Kyng, Trusty and welbeloved We be enfourmed by the Worshipyfull Fadir in god the bisshop of Norwich Lord of the burgh and towne of Lynne that undre colour of youre suete late made unto us at our beyng there, to have a swerd and a mace to be boren byfore the Meire of the said burgh for þe tyme being, Ye the Meyre of the said borough have a swerd and a mace boren before you, otherwise than was done byfore oure beyng theyre, notwithstandyng ye have no lettres patentes of our graunt so for to do the which is ayenst the fourme of oure lawe, and prejudicial to the said Worshipful Fadre in God, and to the Chirche of Norwich as [we] be enfourmed, And how be it that We were wele enclyned to your desire in this behalf, yit it was not, nother is not, oure entent, to prejudice any partie, and namely the Chirche for by oure oth made at oure coronacioun We be bounde to supporte and maynteyne the Chirche and the ryght thereof, And therefore We wol and charge you Meire straitely that all execusacions left ye ceese from hens forwarde to have any swerde or mace, to be bore before you, otherwyse than was used before oure beyng there, And We charge you straitely the Commoinalte of þe said borough that ye suffre not, the Meire that now is, and that for the time shalbe, to have any swerd, or mace to be boren before him in the said borough, otherwise than was used also before our last being there. Yeven under oure Prive Seal at Westminster the viii. day of November.

Which lettter of the Privy Seal having been thus read, it was ordained by the whole Congregation, that the Mayor's sword should henceforth be borne only in the manner and way in which it was borne before the said King's coming to this town.

(*n.*) 16 July, 27 Henry VI.—Ordinance by the Mayor and council, made for the good government of the Craft of taillours of the town of Bishop's Lenn, whereby it was appointed that yearly all tailors, plying their craft in the said town should appear before the Mayor in the Guildhall within the two months following St. Michael's Feast, and in his presence choose two of their number to act as Hedesmen of their craft, during the ensuing twelve months, who on their election should

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take the following oath :—Sires ye shul wele duly and trewely make serche of your crafte of all dwellers with in the town att this time and that from this tyme forward no newe come persones sette uppe the saide crafte with oute he be sufficiaunt in connyng, Whos sufficiaunce and connyng shal be determyned be þe advyse of the meyre and the seid hedesmen. And every persone so newe come and amitted and wilbe no burgeys for his newe settyng uppe shal paye to the Meyre xl *d.*, to the comons of Lenn xl *d.*, and to the said hedesmen xl *d.*, Which xl *d.* shal go to the sustentacioun of the procession upon Corpus Christi day, And yf he wil be burgeys than he to pay but xl *d.* for his no newe settyng uppe to þe seid hedesmen for every sower be the weke denysen q[a] for every sower be the quarter denysen ii *d.*, and for every sower of alyaunt duble to þe sower of deynsens upon the peyne the seid dwellers paye duble hem selffe, And also what persone of the seide crafte kepe any prentys with in the toun from this tyme forward and be no burgeys shal paye to þe sustentacioun of the seid procession on Corpus Christi day xl *d.*, And the Meyre to sette a rewele therein according to þe statute in the Hall of olde tyme, And yf any persone compleyne of any man of the seid crafte þt he hath hurte be mysse cuttyng or mysse shapyng or any parte of his clothe taken otherwyse than in trewe forme upon which any persone or persones so convicted be leful and due preves þat þan he or they so convycted to make amendes to þe party or partyes so greved be the sight of the Meyre and the seid hedesmen, And yf any persone of the said crafte slaundre any man of such dedis so doon and may not evydently be preved be due and leeful preves they to be punysshed be þe avyse of the Meyre and the seid hedesmen and to forfete as often as he is founden so fauty xl *d.*, Which shall go to þe seid procession upon Corpus Christi day, And yf any other other persone than of the said crafte compleyn or slaundre any man of dedis so doon, and may not be duly preved, thei to be punnysshed be advyse of the Meyre and his counsell, And yf ther be any controverseis and debates among any of the seid crafte shaper or sower noon of them to sewe other in no manere wyse but to come to þe ii hedesmen and to compleyne to hem yf nede be and thei to do ther parte to drawe hem to accorde and yf thei may not þat þan thei to make relacioun to Meyre every man doying the contrary shal þe payne accordyng to þe statute in the halle and yf any of the seid ii hedesmen wil be parciall or rewle þe mater otherwise than conciens that than he þat so feleth him agreved come and compleyne to the Meyre and yf any þe seid hedesmen be slawe and wil not do as it is afornseid so that they departe without remedy so that who of hem sewe other throwe here defaute that iche of þe seid hedesmen so preved gilty to forfete þe peyne þat longeth to the halle &c. Followed by the names of the thirty-eight tailors of Lenn affected by the statute.

(IV.) 31 Henry VI. to 11 Henry VII.—Assembly (or Congregation) Book, No. III. Folio of 317 leaves, with pamphlet index to contents at the opening of the volume, containing with other matters the following memoranda.

(*a.*) 31 March, 31 Henry VI.—On that day they elected burgesses of parliament. The Mayor, in accordance with custom, chose (vocavit) Richard Cosyn, Hugh Crosse, William Gilbert, J. Petyclerk, Robert Hunt, Robert Lexham, William Assill, Martin Wrighte, John Cave, William Alkas, J. Melcheburn, William Philpot, who being sworn, &c. elected for burgesses of parliament Henry Bermyngham and William Pilton. On this occasion the Mayor seems to have named all the electors, taking them from "the Twenty-four" and "the Twenty-seven."

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(*b.*) 3 July, 33 Henry VI.—On that day they elected burgesses. The Mayor, in accordance with custom, for electing burgesses of parliament, &c. as is aforesaid, &c., Robert Hunte, William Pilton, William Toot, Thomas Leighton, and they chose William Wareles, William Assill, Hugh Crosse, John Melcheburn, Thomas Thornham, John Boys, John Trunche, William Lynne, Who being sworn, &c. chose for burgesses of parliament Henry Thorisby and Walter Cony. In this case the Mayor named four persons, who chose the other eight members of the electing Committee, which consisted wholly of persons who were either Jurats or of "the Twenty-seven."

(*c.*) 16 July, 33 Henry VI.—On the same day William Pilton was elected into the number of "the Twenty-four," and he took time till the next Assembly to bring x *li.* into Hall or otherwise to accept the burden.

(*d.*) 30 January, 36 Henry VI.—Also on the same day the matter, touching the tenement in which Elias Bulwere the butcher, is put in the arbitrament of John Pygott, Walter Cony, Thomas Tuliott, Thomas Thorneham arbitrators chosen by the aforesaid Elias, and of Henry Bermynghham, William Cauce (?), Robert Lexham and William Ivott, arbitrators elected by the community; to make their arbitrament this side the Lord's Day in . . . Easter, next coming.

(*e.*) 9 January, 38 Henry VIII.—Memorandum, that Symon Pygott and William Pilton, late burgesses of parliament, rode towards Coventre on Wednesday next before the Feast of St. Edmund the King last past and returned to Lenn on the vigil of the Lord's Nativity, and thus protracted their stay (moram) in going thither, waiting there and returning to forty-one days, whence the sum at the rate of four shillings a day extends itself to viii. *li.* iiij. *s.* of which they received beforehand one hundred shillings. And thus there are owed to the same Simon and William sixty-four shillings. And on that day the said Symon and William declared the acts of parliament.

(*f.*) 10 December, 39 Henry VI.—Memorandum that on that day Henry Bermyngham and William Pilton, burgesses of parliament, declared the acts of the parliament &c.; and the same burgesses rode towards London on Friday the third day of October and returned to Lenn on the second day of December then next following, and thus they were at parliament, with going and returning, throughout sixty days, and the parliament is prorogued to the twenty-eighth day of January next to come.

(*g.*) 12 February, 39 Henry VI.—On the same day it was ordained that all those persons, who have been appointed captains in the several constabularies of this town, shall provide and each of them shall provide for the defence of the ward assigned to him, and that each constabulary may be sufficiently defended this side the Lord's day next coming, under a penalty of forty shillings for each captain being wanting: And that every person of each constabulary, who shall have been summoned by any captain for the defence of his ward, and shall refuse to obey, shall forfeit to the community of the town three shillings and fourpence every time he shall be disobedient. Also on the same day it was ordained that two constables shall watch every night for a certain time. (N.B.—Similar orders for putting the town in a state of defence, by perfecting the military organisation of the constabularies, appear in the present book.)

And on the same day John Burbage delivered here upon the "screnium *alias* scrinium" a little box with the charters of the tene-

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ment late of John Curson in Baxterrowe, another little box with the charters of the tenements late of John Flete in Briggegate, and another little box with the charters of the tenement, late of John Massingham in Dampgate, and a book late of John Assheburne; which little boxes and book remain in the "screnium."

(*h.*) 30 December, 1 Edward IV.—On the same day Symon Pygot and Henry Bermyngeham declared the acts of the parliament last past, namely certain acts in writing and certain by word of mouth &c. Which Symon and Henry rode towards London to the Parliament on Friday next before the Feast of All Saints last past, and returned home to Lenn "die Jovis in vigilia Natal' domini." And thus they attended at Parliament, with the going and returning, for fifty-six days.

(*i.*) 11 February, 2 Edward IV. On the same day it was agreed that, for the xxxviii *li.* xiiii *s.* iiii *d.* which divers Burgesses have provided for the use of the community, and for the vi *li.* owed to John Martyn and his associates for the wages of subordinate persons, a certain tax shall be assessed to the sum of xxxvi *li.*, for assessing which tax there were elected—

Henry Bermyngeham Edmund Westhorp William Ivott John Smyth Thomas Bene William Warles	of the Number of "the Twenty-four."
William Bole Robert Mareis John Stowe William Raulyn John Stone Adam Okey	of the Common Council.
John Boyes John Balle Thomas Chamberleyn Robert Chapman William Dunnell Andrew Price	of the Community (de Communitate).

(N.B.—Noteworthy for its evidence that the inferior burgesses, who were neither members of "the Twenty-four," nor members of the Common Council ["the Twenty-seven"] had at this time a voice in the assessment of taxes, this entry is also interesting for its evidence that the word "Communitas" had already lost its original meaning and was used to designate the humblest and least influential class of burgesses.)

(*j.*) 6 September, 5 Edward IV.—On the same day William Caus and Robert Thoresby declared the acts of the parliament. And the same burgesses tarried at the parliament through one hundred and twenty-three days.

(*k.*) 30 October, 5 Edward IV.—This day it is ordeyned by all the Congregacion abovesaide that no man within the Towne of Lenne dwellyng fro hens furthward shall kepe nor favour nor mayteyne eny common Tapster with in his house as servaunt or tenaunt, whiche is knowen for a misgoverned woman, upon peyne of xl *s.* als often as ony persone is so founden defectif: Provided alway, that if ony man have ony woman to his tenaunt, that kepith a tappestre and is a mysgoverned woman her landelord unwityng, that hir landelord be noght in the case of this ordenaunce but if he supporte or maynteyne his saide

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tenaunt after monicioun to hym made by the Maire of this Towne and also that all suiche comen Tapstres be avoided out of this Towne by Cristemesse even next comyng by proclamacion thereof to be made.

Also it is ordeyned by the saide congregacioun that non bocher, taillour, shomaker, pateynmaker, nor non other artificer with in this towne except wynetaverners and comen cokes selle no manere fleshe nor other vitaill nor non other ware upon the Sonday to non manere persone of this towne nor straunger upon peyne to pay als oft as he is found defectif vi *s.* viii *d.*, the tyme of harvest and also cases reasonable of nede and necessarie oonly excepted.

(*l.*) Friday 'in crastino Ascensionis Domini,' 7 Edward IV.—Also, on the same day a certain brief for the election of burgesses of parliament was read publicly before the Mayor and the community, which brief having been read, the Mayor in accordance with custom chose for the aforesaid election the under-written persons—

Thomas Calbott, Thomas Bene, William Raulyn, John Bilney } of the number of the xxiiii of the Common Council } Who chose

John Pigott, Robert Hunt, Robert Mareis, Gilbert Watson } Who chose { Symon Pigott, Ralph Gerton, Robert Vmfray, Robert Kereby

Who elected for Burgesses of Parliament, Henry Bermyngham and William Pilton.

[It may be remarked that John Pigot, Robert Hunt, Symon Pigott and Ralph Gerton were of the Twenty-four Jurats, and that Robert Mareis, Gilbert Watson, Robert Vmfray and Robert Kereby were of the Common Council *viz.* of the Twenty-Seven representatives of the nine constabularies].

(*m.*) 13 December, 9 Edward IV.—On the same day the Mayor, in accordance with custom, chose for the election of a constable in the place of John Blanche.

Richard Godewyn, Thomas Wright, John Boys, Gilbert Watteson } Who chose { Edward Westhorp, Ralph Geyton, Robert Mareis, Robert Vmfray } Who

elected for a constable Robert Powdiche

(*n.*) 18 December, 12 Edward IV.—Memorandum:—That on this day Henry Bermyngham mayor and William Nicholasson, burgesses of parliament, declared a certain Act of the parliament, for the grant of a tenth of all the lands and tenements of all persons holding the same in England, for one year; And that the same parliament is prorogued.

(*o.*) Die Jovis in Festo Decollacionis Sancti Johannis, 16 Edward IV.—On the same day, Walter Cony, Alderman of the Gild of the Holy Trinity of the town of Lenne, and William Nicholasson the Mayor, together with very many other burgesses of the same town, being there present and assembled for the election of the Mayor and other officers of the aforesaid town, for the coming year, the aforesaid Alderman in accordance with the form of an agreement in that respect made, and exemplified under the King's Great Seal took his charge, and chose for the aforesaid election the four under-written burgesses, viz. John Ernesby, John Trunch, William Raulyn, and Edmund Bawsey: Who chose, John Smyth, John Massyngham, Thomas Chamberleyn, and

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John Blanche, John Burton, William Lamkyn, John Bilney and John Aildburgh.

Which aforesaid twelve persons elected for Mayor of this town for the coming year, Thomas Leighton; for chamberlains, William Herwode, Edmund Demany, Richard Tighe, John Rede; for recorder, John Burbage; for common serjeant, Edward Salthons; for keeper of the east gate and market, William Baker; for keeper of the south gate, William Palmer; for keeper of the doucehill gate, Henry Bocher.

(*p.*) 6 March, 18 Edward IV. — John Burbage and William Marche, burgesses for the borough of Lenn to be present at the parliament of the Lord King, were in attendance on the said parliament, in going to it, waiting there, and in returning from the same, for forty-seven days.

(*q.*) 12 March, 19 Edward IV.—Also on the said day it was ordained, for the good of the peace amongst all the burgesses and inhabitants of this town, that in each constabulary of this town one person of the number of the twenty-four jurats shall be chosen for Alderman of that constabulary, and that the same Alderman and the constable of his constabulary shall determine all controversies and debates of every kind whatsoever of the inhabitants of their constabulary, and reduce the parties abiding therein to peace; And that every burgess and inhabitant in each constabulary shall obey and yield to the judgment and ordinance of the aforesaid alderman and constable; And that if the said Alderman and constable shall be unable to reduce the parties to peace, no burgess or inhabitant of any such constabulary shall be suitor in any courts spiritual or temporal, unless he shall have the licence of the Mayor. And for the execution of the aforesaid ordinance, divers persons of the number of the Twenty-Four were chosen Aldermen.

(*r.*) 24 April, 1 Edward V.—Our said Lord King sent a letter to the Mayor and his brethren &c., which was read on the said day; the tenor whereof follows:—Trusti and welbelovyd We grete you well, and where as it hath pleased [God] to take out of this transitory lyf the most victorious Christen Prince of famous memory King Edward the iiiith our kyng loving lord, and fader, whos soule god of his infinite mercye pardon, The lamentable and most sorowfulle tydynges therof was shewed unto us the xiiiith daye of this present moneth, which stered us to alle sorowe and pensyfnes, yit remembryng that we be alle mortall and nedely must obey goddes ordenaunce and take it therfor as we shalle doo al thynges obeisantly after his will, And where it hath pleased hym to ordeigne and provide us to succede and enherite my seid lord and fader in the preemynence and dignite Royalle of the Crowne of Englond and Fraunche, We entend by hym that sendeth alle power with the feithful assistence of you and other our true and lovyng subgettes so to governe rule and protecte this our Realme of Englonde as shalbe to his pleasyr oure honor and the wele and suerte of all oure subgettes in the same and to be att oure Cite of London in alle convenient haste by goddes grace to be crowned at Westminstre, Willyng and charging you to se that our peax be surely kepte and good governaunce had within the town of Lynne, Not fayling to excute our commandement and your auctorite in that behalfe favour or dewte of eny persons what estate or degre he be offe as ye entende our singler pleasure and your trewe acquittal therin ye shal deserve of us speciall thankes. Yeven undre our signet at our Castell of Ludlowe the xvi day of Aprill.

(*t.*) 22 October, 2 Henry VII.—This day is shoed and red a lettre that came from our Sovereyn Lord the Kynge for to make serche this present moneth for vacabowndes and vailant beggers &c. &c.

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(*u.*) 26 October 1487.—Also yt is accordyd wher as ther is a new pare of stokkes made by the meanes of one Robert Mathew smyth setto aforn the dorr of the said Robert, yt is acordyd þat if the said Robert wyll not obey to the ordenannces of this towne that my mayster the mayr that now is shalle do sette away the said stokkes and set hem in the markett place and to sette the said Robert in the said stokkes in the markett place till he wyll be obedyent.

(*v.*) 8 January, 11 Henry VII.—This same day John Gryndall alderman and William Horwode chochen burgess of the last parliament cam in and shewid what actes were made in the said parliament, which actes the said John Gryndall aldirman declared and redde them opynly afore alle the congregacion here.

(*x.*) 24 March, 11 Henry VII.—Thies same day were redde the Kinge's lettres directid from the King the xxiiiith day of March, on to Maistre touching the Diete to be holden at Andewarp betwene the Esterlinges the Stedn and the kinges Ambassadours to understand of any greves as it apperith in the same letter [of] which copie [is] writtyn in the leiff folowing; and an other letter directid to the Maier and his brethren for the bonde of thamite and peace entrecourz of merchandise intelligence, and the copie of [the] bonde desired by the King undrethe to be had and sent to the King, which lres and copie of the bonde bee engrose in the next Leiff, first begynyng of Asshburns booke, as it apperith in the same. It is consentid agreed and condescended by all and every singler persoun of this congregacion that the same bonde shalbe sealid with the comen seale, and they be agreed everychone and upon peyne shall appere at Seint Margarites chirch for the sealing yerof at iiii of the clok at afternoon and William Off' is named and assigned to ride up to London and ther shall delyver the said Bound.

(V.) 12 Henry VII. to 35 Henry VIII.—Assembly (or Congregation) Book No. IV. Large Folio of 345 leaves (many of them mutilated) containing the following entries.

(*a.*) 5 January, 19 Henry VII.—This day the Mayre have called for the elecciou of the burges of the parliament theyse persons folowyng, for asmoch as Thomas Guybon late elected burges of the seid parliament hath refewsed and wyl not take upon him,

Henry Bretenham,	William Osse,	Nicholas Yosson,
John Recclys,	Robert Amfless,	William Ivye,
John Grendell,	Richard Price,	Thomas Fyssher,
John Wilkinson,	John Daweney,	Richard Amfles,

who elected for burgesses of parliament, William Trewe and William Grebye.

(*b.*) 7 January, 1 Henry VIII.—This day by avyce of the congregacion, M^{r} Meyre hath named for the eleccion of the burgesez of the parliament these persons folowyng, for asmoch as M^{r} Wyth hathe excused him by the service of the Bysshop of Ely and M^{r} Gerves by extreme perell of sykenes, therfore the Mayre hath named for the said eleccion these persones followyng—

Richard Bewshere, Richard Peper, Thomas Myller, John Hullyer,	qui elegerunt	John Grendell, sen^{r}, William Cnesford, Christofer Brodbank, Roger Bowesey,	Henry Bretenham, M^{r} Burdy, John Grendell, jun^{r} Richard Harde,

who elected Thomas Guybon and Francis Mondeford.

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MSS. OF THE BOROUGH OF KING'S LYNN.

(*c.*) 28 January, 8 Henry VIII.—Election of burgesses of parliament:—

By the Mayor { Richard Bewshere, John Grendell, Thomas Miller, Richard Bull, } who chose { Robert Soome, Thomas Leyghton, Christopher Brodbank, Thomas Barrett, } { Richard Peper, Richard Price, Thomas Roose, John Alward, }

who elected for Burgesses of Parliament M^r^ Thomas Wyth, the mayor, and Francis Mondeford.

(*d.*) 22 January, 6 Henry VIII.—For the expenses of burgesses of parliament. This day be chosen these persones followyng to cesse the knyghtes mete for the burgeses of the last [parliament].

Sessars - { John Grendell, sen^r^, John Alysaunce, Richard Peper, Robert Amfles, sen^r^, } { John Hullyor, William Barker, William Hawe, Humfre Wolle, } { John Barnard, Robert Spaldyng, John Morse, John Assheby, }

Followed by the names of the nine collectors of the cessement in the nine constabularies of the town.

(*e.*) 20 August, 12 Henry VIII.—Memorandum, that the Monday the xx^ti^ day of August in the xii^th^ yere of the reigne of Kyng Henry the VIII^te^, the tyme of Robert Gerves Mayer of Lenn. The Most Reverend Father in God Thomas Lord Cardynall Legate a latere Archebysshope of York, Primate and Chaunceler of England with the Bysshope of Ely and a Bysshope of Irland, with many knyghtes and esquyers com' to Lenn, Which Lord Cardynall &c. was met on the caunsy beyound Gaywood brigge with the Mayre and commons of Lenn, Which lord Cardynall was presented at Hulyns Place with xx^ti^ dosen brede, vi soys of ale, xv barelles of beer, a tonn and xii galon of wyne, ii oxen, xx^ti^ shepe, x signettes, xii capons, iii botores, iii shovelerdes, xiii plovers, viii pykes, and iii tenches, and on the next Wednesday after the seyd Lord Cardynall with the forseyd Bisshops knightes and esquyers departed, and the forseyd Mayor and commoinaltye brought the sayd Lord Cardynall beyound Hardewyk churche and ther departed from the sayd Lord Cardynall with gret laude and thankes.—Summa Totalis.—xxii *li.* vi *d.* payd for the charges of the seyd present, with rewardes yeven to diverse officers of the seyd Lord Cardynall.

(*d.*) 31 March, 14 Henry VIII.—Congregation of burgesses held in the Gild Hall of Bishop's Lenn:—Thomas Miller (gubernator), Richard Bewshere, Thomas Leyghton, William Castell, Christopher Brodbank, Richard Peper, John Holyour, Roger Bowesey, Robert Parmenter, Edward Baker, Thomas Palmer, William Crampe, William Olyett, John Dunston, William Gerves, John Judde, Humfrey Wolle, John Odam, William Wygan, William Kenette, Robert Roughton, William Hall draper, Henry Duplak, William Loklay, William Hall taylor, Peter Mowthe, John Malby jun^r^, Robert Candeler, William Baxter, William Mowthe, Simon Thompson.

The greater part of whom, viz., Richard Peper, John Holys, Robert Parmenter, William Olyett, William Gerves, John Judde, Humfrey Wolle, John Odam, William Wygan, William Kenette, Peter Mowthe, John Malby jun^r^, Robert Candeler, William Baxter, Thomas Water, William Mowthe, Simon Thompson, Thomas Herryson, John Whyte,

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Robert Lambard, John Suff, John Knape elected these two underwritten for burgesses of parliament,

Mr. Thomas Miller, gubernator, and
„ Richard Bewshere.

It is worthy of observation that every burgess voting at this election was either one of "the Twenty-four," or one of "the Twenty-seven" and that the introductory record of the persons present at the congregation makes no mention of seven of the persons, who voted with the majority.

(*e.*) 5 November, 15 Henry VIII.—This daye it is agreed by all the congregacion forseid that a sessement, late sessed for the wages of the burgesses of the parliament, shalbe gathered up by the Collectours of every Ward, and furthermore that the same bylles shalbe gathered abowte agayn, and that every man that was sessed by the first bylles at ii *d.* shall paye nowe at this second gatheryng of every of them iiii *d.* And furthermore to sesse all those persounes that be now cum to the Town or were forgoten at the other sessing as they shall thynk reson and good consciens, and that this mony be levyed wythynne viii dayes, and be disposed in makyng the town fensaybyll with gunstones gunpowder bulwarkes, and other artylary in all hast and for to fynd a post accordyng to the commaundement of the kynges commissioneres, and John Malby shalbe the post, and have every weke xviii *d.* for fyndyng of his horse and his self and every day that he ryde to have xii *d.*

(*f.*) Friday before the Feast of Epiphany, 19 Henry VIII.—This day the whole company before-rehersed ben aggred that the Frenche Quene and the Duc of Suffolk shalbe presented at the White Freers with ii hoggeshedes of wyne, iiij swannes, with other wylde fowle.

(*g.*) Friday before the Feast of All Saints, 27 Henry VIII.—This day the Mayer aldermen and comen counselle have elect and chosen in burgess of the Kinges parliament for the tyme to come in lewe and place of Richard Bewsher, Robert Suthwell esquyer by the whole assent.

(*h.*) 31 May, 28 Henry VIII.—Congregation held at Bishop's Lenn :—Maior cum xii. : —Thomas Water mayor, John Gryndell, Richard Bowsher, Thomas Leyghton, Thomas Miller, Robert Annifles, Robert Parmotour, John Water, John Power, Edward Baker, William Hall.

Numerus de xviii :—Peter Cur, William Kenete, William Hall, Peter Clebourn, Henry Dewplak, George Amis, Stephen Leyghton, Roger Bowsey, William Baxter, Thomas Bowsey, William Norman. This day alle the hole assent of theis abovenamed have elect for burgesses of parliament for this towne William Conyngeby and Robert Southwell esquires, and gyven them full auctorite and power to deal with all matters in Parliament.

(*i.*) Friday, April, 30 Henry VIII.—This day the Mayer, aldermen and comen counsell have elect and chosyn to be burgesses at the parliament for this parliament to begyn the xxviii day of this present moneth of Aprell for this town of Kyng's Len, Robert Suthwell, esquyer, and Thomas Water, and have gyven them full power and auctorite to tract and comon in all and every thynge and thynges consernyng the said parliament.

(*j.*) Friday, ante festum Natalis Domini, 33 Henry VIII.—Thys daye the Mayer, aldermen, and comon counsell have elect and chosen to be burges of the parlament for thys parlament to begyn the xviith day of Januarii next cumyng for this towne of Kynges Lynne, Thomas Water and Thomas Myllar, and have gyven them full power and auctoryte to treate and comon in all and every thyng and thynges consernyng the sayde parlament.

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MSS. OF THE BOROUGH OF KING'S LYNN.

(VI.) 35 Henry VIII. to 11 Elizabeth.—Assembly (or Congregation) Book, No. V.; large folio of 522 leaves, containing with a large number of other matters the following memoranda,—

(*a.*) 14 January, 36 Henry VIII.—This day the Mayer, recorder, the aldermen and commòn counsell have electyd and chosen for burgesses of the parlyament Edmund Grey and Thomas Myller.

(*b.*) Monday before the Feast of St. Michael, 1 Edward VI.—This daye M^r^ Maior with the whole assent of the aldermen and comen counsell have elected and chosen M^r^ Thomas Gawdy esq. and M^r^ William Ouerend to be burgesses of parlyament.

(*c.*) 7 October, 1 Edward VI.—Badges for pore and impotent persons. This daye yt is agreed that there shalbe badges made of leade and engraved with a roose and an E and an R of the sydes for suche aged and impotent persons as ben within this town and ben not able to labour for theire lyvyng to beare, wherby they maybe knowen from other, and that thees badges shall not be delyvered to any of the sayd impotent persons, butt by the advice of M^r^ Maior and of the alderman and constable of every ward, wherein they shalbe admytted.

(*d.*) Friday, in the Vigil of Saints Peter and Paul, 3 Edward VI.—This daye it is agreed and establyshed by M^r^ Mayor, aldermen and comen counsaill that M^r^ Mayor on Sundaie next comyng shall in recompens of the wyne and breade for the communyon and for the offering offer and give unto the curat of the church of St. Margaret viii^d^ for all iii churches, and that every inhabitaunt of this town oon after an othr every Sondaye shall doo likewise as the turn shall come abowt in maner and forme as hertofore the Holy Breade Loffe hath ben yevyn, provided allway that yf the hows wherin such inhabitaunt doth inhabit and dwell be not of the value of xx^s^ yerely or soo leaten that then ii or iii of the next shalbe joyned unto hym and to paie porcion lyke towardes the charges of the communyon and offering aforesaid.

(*e.*) 20 January, 6 Edward VI.—This daie M^r^ Mayor, aldermen and comen counsaill have elected and chosen Sir Richard Corbett knight and M^r^ Thomas Waters gent. to be burgesses of this next parlyament.

(*f.*) 18 September, 1 Mary.—This daie M^r^ Aldermen and comen counsaill have elected John Walpole esquier and Thomas Waters gen. to be burgesses of the parlyament.

(*g.*) 2 March, 1 Mary.—This daye M^r^ Mayor, aldermen and comen counsaill have elected and chosen Thomas Waters and William Ouerend to be burgesses of the parlyament nowe to be holden at the citie of Oxforth.

(*h.*) 27 April, 1 Mary.—Memorandum: that Henry Bleisby at the request of M^r^ Mayor and his company have disbursed unto M^r^ Ouerend v *li.* towards his charges nowe at the parlyament.

(*i.*) 3 November, 1 & 2 Philip and Mary.—M^r^ Mayor, aldermen and comen counsaill have this daie with oon assent and consent elected and chosen Sir Thomas Moyle knight and Thomas Waters to be burgesses of the parlyament.

(*j.*) Friday next after the Feast of St. Michael, 2 & 3 Philip and Mary.—This daie M^r^ Mayor, alldermen and comon counsaill havo elected and chosen Thomas Waters to be oon of the burgesses of the parlyamont, and Sir Nicholas Lestraungo knight for thother burges yf he will receve it yf not then Robert Gervis ys elected.

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(*k.*) Die Jovis ante Festum Natalis Domini, 4 & 5 Philip and Mary.—M^r^ Mayor, alldermen and comen counsaill have this daye elected M^r^ Ambrose Gilberd esquier, recorder of this towne, and M^r^ Thomas Waters to be burgesses of the parlyament.

(*l.*) 30 September, 5 & 6 Philip and Mary.—M^r^ Maior, aldermen and comen counsaill have elected M^r^ William Yeluerton esquier, to be burges of parlyament.

(*m.*) 14 December, 5 Elizabeth.—Mr. Maior, aldermen and comen counsaill have this day elected M^r^ Recorder of this town to be oon of our burgesses of the parlyament for this town, and agreed that a burgess of the town shall be another.

(*n.*) 29 December, 5 Elizabeth.—M^r^ Maior, aldermen and comen counsaill have this daye elected M^r^ Richard Lestraunge esquier to be burgesse of the parlyament for this towne.

(*o.*) 5 November, 10 Elizabeth.—M^r^ Maior, alldermen and comen counsaill hath this daye condiscended and agreed that the Crosses on the Steeple shall be taken down.

(VII). 11–33 Elizabeth.—Assembly (or Congregation) Book, No. VI.—Large Folio of 431 leaves, containing the ensuing memoranda.—

(*a.*) 16 March, 13 Elizabeth.—This daye M^r^ Bell, recorder of this towne, and Mr. Kyme, one of the aldermen and a burgesse of this towne, were elected to be burgesses of the parlement, according to the tenor of the statutes in that case made and provided.

(*b.*) 19 April 1571.—At this daye M^r^ Mayor, the aldermen and common councell have elected and chosen John Pell and Thomas Grave to be burgesses of this borough for the next parlement.

(*c.*) 6 August 1578.—At this daye M^r^ Mayor, aldermen and comen councell have condiscended and agreed that, where the Quenes Majestie ys nowe comyng into the Countie of Norfolk, in progress, that (to thintent to sheawe there dutifull obedience and good wills) a present shal be gevin and presented to her Majestie of one hundred Angellz yf yt shall so be thought mete and convenient by the Erle of Leycester, beinge Highe Stewarde of this towne, and M^r^ Recorder, towardes the performance whereof there was delivered to M^r^ Maier xlv *li.* x *s.* of the comen treasour of this Town.

(*d.*) 13 January, 22 Elizabeth.—At this daye M^r^ Mayor, aldermen and burgesses have elected and chosen John Payton esquire to be burgess of the parlament for this Boroughe, and have given to the said John Payton full and sufficient power for hymself and the Comoinaltie of the same Borough to do and concent to thoes thinges which in the said parlament of the Comen Councell of the Quenes Majesties realme (God favoringe) shall happen to be ordeyned, accordyng to a precept to us directed by Thomas Knyvett knight, highe shiriff of the countie of Norfolk.

(*e.*) 8 November 1584.—At this daye M^r^ Maier, aldermen and comen counsell have elected and chosen John Peyton esq. and Richard Clark alderman, burgesses and inhabitantes of the Town of Kinges Lenn, to be burgesses in the parliament howse of this burgh of Kynges Lenn att the next parliament, now summoned to be holden and kepte the xxiii of this present moneth, and have geven unto them full and sufficient power for themselves and comynaltie of this borough, to do and concent to those thinges, which in the parlyament aforesaid of the comen counsell of Quenes Majesties realme (God favouringe) shall happen to be ordeyned.

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MSS. OF THE BOROUGH OF KING'S LYNN.

(*f.*) 24 May 1585.—Forasmuche as it hath pleased Allmightie God to begynn to send us his visitacion with sickenes amongst us, and that dogges and cattes are thought verie unfitt to be suffered in this tyme, Therfore M^r^ Maior, aldermen and comon councell have ordered and decreed that every Inhabitant within the same Town shall forthwith take all their dogges and yappes, and hange them or kill them, and carrye them unto some out-place and burye them for breadinge of a greater anoyaunce, but onlie such as have a dogge of accompte, that will keep the same kenelled or tied up, or not to come abrode, unlesse the same be led in a lease, otherwise the same to be killed fourthwith by such as shalbe appointed for that purpose (except the dogges of Straungers comyng into this Town with their Masters, not knowing of this order). And likewise for cattes, if there be any nigh unto any house or houses visited with sickenes in this towne, for that thei be very daungerous to infecte sound and cleare houses. Therefore it is likewise ordered that the cattes shall furthwith be killed in all suche places.

(*g.*) 5 October 1586. — Att this daie M^r^ Richard Clark and M^r^ Thomas Oxburgh are elected and chosen by M^r^ Mayor, the aldermen and comen counsell to be burgesses for this burrough, for the parliament summoned to begyn the xv^th^ of this present moneth of October.

(*h.*) 4 August 1587.—Also att this daie it is agreed by M^r^ Maior, the aldermen and comen counsell that his Majesties players nowe beinge in this towne shall have geven them of the townes allowances xl *s.*

(*i.*) 4 November 1588. — Att this daye M^r^ Richard Clarck and M^r^ Thomas Boston aldermen are elected and chosen by M^r^ Mayor the aldermen and comen counsell to be burgesses for this burgh, for the parliament summoned to begynne the xii^th^ daye of this present moneth of November, &c. &c.

(*j.*) 18 July 1589.—At this daie there was graunted to be allowed to M^r^ Sandill, in respecte he did in the yere of his maioraltie entertayn Sir Walter Rawlye knight and his companye in resortinge hether about the Quenes affayrs, and that he did entertayn the Deputie-Lievetenauntes resortinge hether about the townes affairs, tenne poundes:—Summa x *li.*"

(VIII.) 33 Elizabeth to 9 James I.—Assembly (or Congregation) Book, No. VII. Large Folio of 495 leaves containing—

(*a.*) 29 January 1592.—Record of the election by "M^r^ Maior and the burgesses of this town" of Sir John Peyton knight and William Lewis esq., recorder of the town, to be burgesses of parliament.

(*b.*) 16 September 1597. — Record of the election, by "M^r^ Maior the aldermen and comen counsell burgess [es] of this town," of Thomas Oxburgh esq., recorder of the town, and Nathanyell Bacon esq. to be burgesses of parliament.

(*c.*) 9 October 1601.—Record of the election, by "M^r^ Mayor, the aldermen and comen counsell burgesses of this town," of Thomas Oxburgh esq., recorder of the town, and Sir Robert Mansell knt., vice-admyrall of Norfolk, to be burgesses of parliament.

(*d.*) 18 February 1603. Record of the election, by "the Maior and burgesses of this towne," of Thomas Oxburgh esq., recorder of this town, and Robert Hitcham esq., the Quenes Majesties attornye, to be burgesses of parliament of the said town, with memorandum "for that the said M^r^ Hitcham is not as yett a free burgesse of this burgh, ytt is therfore required and ordered that he shall repaire hether before the vi^th^ of the said moneth to be made a Free Burgesse of the said towne."

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(*e.*) 23 July 1610. Memorandum :—Allso whereas Sir Robt. Hitcham knight, the Queenes Ma^ties^ attorney-generall is proposed to come to this towne from the Assizes at Norwich to take his jorny to Elie where he is Judge of that County Palatyne, and that the said Sir Robt. Hitcham is one of the burgesses of this burgh [at] this present Parliament and promised to take noe wages for the same when he was elected. Therefore itt is agreed that the Towne shall bestowe upon hym (as a gratuity) twenty poundes, and that he shall be intertayned by M^r^ Mayor and that the charge thereof and of his horesemeat shall be borne by the towne.

(IX.) 9 James I. to 12 Charles I. Assembly (or Congregation) Book No. VIII. Large folio of 472 leaves, containing—

(*a.*) 20 June 1614. All so itt was agreed that M^r^ Maior shall be allowed for his burgis wages for every day wherein he served this last parliament the some of tenne shillinges per day. He went from hence the first of Aprill last and returned the xi of June next following.

(*b.*) 14 October 1616. At this day itt was agreed that a Letter shall be written by M^r^ Maior and the aldermen to the Lo. Chancelor of England, the townes High Steward, to intreat that he will be a meanes that all the companyes of players which yerely resort to this towne may nott be suffered here to use playing notwithstandinge their grantes and patentes made unto them.

(*c.*) 15 December 1620. Record of the election, by "M^r^ Maior the aldermen and comon counsell," of M^r^ Matthewe Clark and M^r^ John Wallis, aldermen, to be burgesses of parliament for the town: with memorandum that "the Maior aldremen and comon counsel have granted that either of the said burgesses shall have for their wages tenne shillinges for every day of the said parliament and for every day of their traveill outward and homeward."

(*d.*) 22 January 1628. Record of the election, by the "Maior the aldermen and comon councell" of John Wallis and William Doughty, aldermen of the town, to be burgesses of parliament; with memorandum of an agreement "that the severall wages of those that shall be elected burgesses of this burrough shall be fyve shillinges a piece for every daye."

(*e.*) 25 April 1625.—Record of the election by "M^r^ Maior the aldermen and comon councell," of Thomas Gurlyn and John Cook aldermen, to be burgesses of parliament for the borough; with memorandum that each of the two burgesses is to have for his "wages" five shillings a day.

(*f.*) 16 January 1625.—Record of the election, by "M^r^ Maior the aldermen and comon counsell," of Thomas Gurlyn and John Cook, to be burgesses of parliament for the borough, at "wages for every day of fyve shillinges a piece."

(*g.*) 25 February 1627.—Record of the election, by "M^r^ Maior the aldermen and comon counsell," of Sir John Hare, knt. and William Doughty, one of the aldermen of the town, to be burgesses of parliament for the borough.

(*h.*) 16 December 1631.—Allso itt is granted that the chamberlyns shall pay unto Hester Ogden the late dawghter of Doctor Fulk deceased towards the newe reprintinge of the books of her said father five pownds.

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MSS. OF THE BOROUGH OF KING'S LYNN.

(*i.*) 31 March 1633.—At this daie [it] was apoynted that Fiftie-one shillinges and eight pence should be paied to M^r^ Mayor by the Chamberlins for a gratuitie sent my Lord Cheefe Justice Richardson: also fortie shillinges to send away his Majesties Plaiours of his private chamber in Yorke without actinge heere.

(*j.*) 20 May 1636.—Also itt is this daie ordered that M^r^ Mayor is to be paied by the Chamberlains fortie shillings for so much by him given to the King's players not to plaie heere.

(X.) 12 Charles I. to 10 Charles II.—Assembly (or Congregation) Book, No. IX.; large folio of 561 leaves, with pamplet index to contents, at the opening of the volume, containing with a large number of other entries, the following matters of record,—

(*a.*) 13 March 1639.—Record of the election, by "Mr. Maior the aldermen and common counsell," of Mr. Doughty and Mr. Gurlyn, two aldermen of the borough, to be burgesses of parliament for the town at the parliament, summoned to be holden at Westminster on 13 April next coming, having "for their wages fyve shillinges a day."

(*b.*) 12 October 1640.—Memorandum, respecting two letters,—one addressed to Mr. Mayor, the aldermen and common council, and the other addressed to the Mayor alone,—from the Earl of Arundell, Lord General, requesting that one of the burgesses to represent King's Lynn in the next parliament may be a person nominated by him; with record that "yt is unanimously agreed by the howse that they will choose noe other burgesses to serve in Parliament, but only such as are resident and inhabitinge within the corporacion, and that two letters shalbe sent the Erle, one by the Maior and Aldermen, and the other by the Mayor himself, in answeare of the said letters."

(*c.*) 22 March 1640.—Order that a letter, brought in by Mr. Mayor and read to the congregation, should be fairly written out and sent to Mr. Percevall and Mr. Toll, burgesses of the Parliament for this town.

(*d.*) 24 October 1642.—Record that Mr. Toll, one of the burgesses for King's Lynn in the present parliament, brought into the congregation an Order of the parliament (copied into the present book) for putting Lynn in a state of military defence and efficiency, and for permitting no soldiers to enter the town without the authority of the parliament.

(*e.*) 11 November 1642.—Memoranda of the persons appointed to be officers of the two trained bands of King's Lynn; with copy of the warrant (dated 11 November 1642) of the Mayor and aldermen to captains of the same bands, for drilling and furnishing their soldiers "soe as they may be fitted for the defence of the Kinge and Kingdome upon one howers warnynge."

(*f.*) 18 November 1642.—Memorandum that the "one hundred powndes formerly agreed by the house to be lent to the Parliament upon the Propositions &c., was accordingly payd and delivered to Mr. Percivall and Mr. Maxey, aldermen, the treasurers appoynted by the Parliament Committee, whoe gave a receipt for the same under their handes."

(*g.*) 5 November 1642.—Order of Assembly, for Mr. Recorder, Mr. Leeke, Mr. Percivall, and Mr. Toll, to go to Norwich, and there attend the meeting, summoned by the Deputy-Lieutenants of Norfolk "for consultinge and consideringe of some speedy course to be taken for the trained bandes of horse and foot to be fitted in a-readiness to oppose foreigne forces much feared to be sodainly landed in some part of the Coastes of Norfolke, Suffolk, and Essex."

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(*h.*) 12 December 1642.—Order of Assembly that neither the trained bands nor voluntiers of the borough shall go out of the town in soldierly fashion for any military purpose without the permission of the Mayor and aldermen, "unto whom the militia of this burrough is by lawe granted."—Also Order of Assembly, for Mr. Recorder and Mr. Leek to attend "at Norwich on Thursday next the generall meeting of the Deputy-Lieutenants of this county . . . . . to the end that a mutuall corespondence and communication of all affairs and intervening passages, tending to the good and safety as well of the county as of this towne, may be signified by the lievetenauntes to Mr. Mayor before the determinate Resolucion by them of any act to be here performed." —Also Order of Assembly, that the captain of volunteers within the borough shall not train or show his men in any place, save the Artillery Yard, within the borough.—Also, Order of Assembly, "that a peticion be drawen to the Parliament to desier fyve hundred poundes to be allowed out of the moneys lent by this Towne, upon the proposicions, towards the towne fortifications begunne; And also ten peeces of ordinance to plant thereon, and allso a certificate to be procured from the Deputy Lievetenauntes of this county to attest the said Peticion. And the said Peticion is desired to be preferred by the parliament burgesses for this towne, whoe beinge now present have promised to promote the same with their best assistaunce."

(*i.*) 30 December 1642.—Memorandum: This day Mr. Percevall and Mr. Toll, aldermen and Burgesses of the parliament for this burough, by the handes of the said Mr. Percevall in the other's absence, did bringe in and deliver into this House, of the subscription moneys upon the parliament propositions collected within this burough in their handes remaininge, the just summe of fyve hundred twenty-five powndes fifteene shillinges and six pence in moneys numbred. To the end the said moneys shalbe heare deposited in trust, and to such only purposes as is particularly expressed in an Order entered at the last Hall and congregacion heare howlden and accordinge to the trew Scope thereof.

(*j.*) 2 January 1642.—This day an Order of the Commons House in Parliament, dated Sabti 15 October 1642, was brought and produced in the howse by Mr. Percevall and Mr. Toll, aldermen, in hec verba sq.:— "It is this day Ordered by the Commons now assembled in parliament, That the Maior, aldermen and common counsell of the towne of Kinges Lynne in the county of Norfolk shall pay and allowe out of the towne stock as formerly, unto John Percevall and Thomas Toll their burgesses, for this present parliament, as lardge an allowance per diem as they have heretofore allowed any of their aldermen that hath bene burgesses in parliament for that towne, notwithstanding the freemen of that towne had their voyces in the choice of the said John Percivall and Tho: Toll to be their burgesses for this present parliament. If the Mayor of Lynne can shew any cause to the contrary, we shalbe ready to heare him."

And yt is thereupon ordered that Mr. Maior, Mr. Recorder, Mr. Doughty, Mr. May and Mr. Lecke with all convenient speede shall consider of and draw up a fittinge answeare to present to the Honourable House of Commons upon the said order and offer the same to be allowed by the howse.

(*k.*) 11 January 1642.—Letter from Mr. Percevall, one of the aldermen and burgesses of parliament for King's Lynn, touching the proceedings of the parliament in respect to the town's petition for an assignment of the money, already raised by the town for the use of the parliament, to the fortification of the town. "They fell in the end,"

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says the writer "to consider how to gett money for their present and urgent occasions, and then came to say theare was much money to come from Norfolk, and some from Lynne. I tooke occasion to tell them what I had received in plate and money at Lynne upon the proposicions, and what plate was sent up, and what money was ready to be sent up, and what we had begunne to doe accordinge to their commaund touchinge the fortifyinge the towne, and what a greate deale of money that has already cost, and would cost to finishe yt, And delivered in your Peticion, And yt was presently ordered we should have 400*li.* out of the said money towards our fortification, and I beleeve I had gott 500*li.*, had not a member of the House, that Mr. Robinson and Mr. Kirby spake with, stood up and said that they said 400*li.* would content them, or wordes to that effect."

(*l.*) 20 March 1642.—Order that a free entertaynment at the Towne chardges shalbe made by Mr. Maior for Colonell Cromwell, and the rest of those gentlemen that shall come alonge with him in his Equipage, accordinge to the invitacion of Mr. Mayor signified by his letter, sent to him yesterday in answeare of a letter, dated the day before, sent to Mr. Mayor from Colonell Cromwell.

(*m.*) 27 March 1643.—This daye, at the request of the howse by Mr. Maior made to the right worthy and noble gentleman, Jonn Spelman esq., a deputy-lieutenant of this county, to take the paynes to ryde to Cambridge, accompanied and attended by Mr. Alderman Hudson, Mr. William Williams, Mr. Jonas Scott of the Common Counsell, theare to countenance and assiste the delivery of a letter to Colonell Cromwell from this house, much ymportinge the peace of this towne and the generall peace of the Kinge and Parliament, in whiche letter yt is desired that the Colonell should write to the Parliament by Mr. Recorder and Mr. Kirby whoe are also to accompany them to Cambridge and from thence to Parliament, theare to attend &c. It is ordered so that this be done at the Town Chardge.

(*n.*) 5 May 1643.—Order that a letter shalbe forthwith sent up to the parliament from Mr. Mayor and aldermen, directed to Mr. Corbett, whoe sittes in the chayer at the Committee for Informacions, desiringe him in the townes behalf to present the sence of this howse to the Honorable House of Commons, to this effect,—To desire an order from them therby to authorize Mr. Maior to examine all such persons, strangers as are now lately or hereafter shall shroud themselves within this towne and which may be supposed to be malignantes or probably coniectured to be so, And to remove or apprehend such of them as Mr. Maior with the rest of his fellow-justices shall thinke meete.

(*o.*) 26 May 1643.—Also this day Mr. Mayor is desired to invite the Deputy Lieutenantes one day in a weeke to dinner at the towne charge.

(*p.*) 7 August 1643.—Whereas in these dangerous [times] it is informed to this House that not only a great companie are now to come into this burgh, but that an overmultitude of such strangers will suddenly pester the said burgh; it is therefore ordered and thought meete by the Maior recorder aldermen and common counsell heer present, that generall and spetiall notis shalbe given to all and everi the howshoulders and inhabitants of this burgh that henceforth they receive not, nor presume to entertaine into ther howses any person or persons whatsoever before first they acquaint Mr. Maior with ther purpose in that behalfe, and therin receive his direction; and in the meane time it is further thought meet and so ordered that this matter, now in debate before us, shalbe

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communicated by Mr. Maior unto the Committee of Parliament, to be assembled one the morrowe next within this burgh, to the end that such further course may be taken in the premises, as thereby no hurt or hinderance may happen to our Assotiation latly made, with and concerninge the parts adjacent to the said burgh, touching ther entertainement therin for ther and our better saffetie in these times of danger.

(*q.*) 21 August 1643.—This day it is consented unto and ordered by this howse that all the lanes in this towne may be paled up with deale bordes next the water side and doores made to be locked up by all night-longe and stand open all day longe; and to oversee the worke Mr. Robinson alderman, Mr. Simans, Mr. Wharton [and] Mr. Skott of the common councell with the chamberlains are desired to doe it.

(*s.*) 28 September 1643.—Whereas upon a late treaty betwixt the Commissioners on the Right Honorable the Earle of Manchester's part and the Commissioners on the behalf of this burrough, towchinge the surenderinge thereof into His Lordship's hands, to the use of the King and parliament, amongst other articles in the said treaty concluded upon, vizt. in the 7th Article yt is conteyned and concluded to this effect following, scilicet, That Ten shillinges a man for all the foote souldiers, and a fortnightly pay for all the officers under captaynes in his Lordship's army be raysed and levied upon the said towne of Kinges Lynne, The estates of the Gentlemen, straungers and well-affected not beinge lyable therunto, As by the said Article appeareth amongst the rest, dated 16th September 1643. And whereas his Lordship by his letter under his Lordship's hand, dated the 26th of this instant directed to Mr. Maior, did requier expedicion of the said assessment, declareinge therby the Summe to be assessed to be 2300*l.* to the uses aforesaid, Therfore by consent of this howse yt is ordered that the said assessment be entered into debate instantly and performed accordingly by such equall wages as shalbe thought most fittinge.

(*t.*) 24 November 1643.—This day it is ordered that Mr. Perceval and Mr. Toll aldermen, which are Burgesses in this present parliament for this bourgh, shalbe allowed 5*s.* a day a man from the time they went up to the parliament till this day out of the howse.

(*u.*) 26 January 1643.—Also this day it is ordered that Mr. Jno. Bassitt, Mr. Maxie, Mr. Robbinson aldermen, together with Mr. Joshua Grene, Mr. Robert Thoroogood, and Mr. Thomas Greene, or any fower of them, shall consider what damadge hath bene done to the howses and landes belonginge to this Borough, in the late desertion of this towne, and to appoint such workemen, to view the same and to preferr the same to the gentlemen appointed by the Lords and Commons in . . . for repararations of such losses.

(*v.*) 16 February 1643.—Order that Mr. Toll, alderman and burgess of parliament, and Mr. Jonas Skott, one of the common counsell, go to the Earl of Manchester at Cambridge, "with a peticion about payment for firinge and candell for the Courtes of . . . and concerninge the breakinge the church windowes and concerninge the taking down of the painted glass, and what other thinges shall concerne the towne."

„ „ Also, Order that the parishioners of St. Margaret's parish shall be assessed, as well as those who have houses and lands, "for the repairinge of the church windowes which are taken downe."

„ „ Also, Order that Mr. Maxey alderman, with twelve other persons named in the order, or any seven of them, "with other parishioners that will come shall assist the churchwardens to make an

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assessment uppon the parishioners for the repairinge of the church windows accordinge to the ordinaunce of Parliament."

(*w.*) 20 November 1644.—This day Collonell Valentine Walton now Governour came into this house this daye and hath accepted of the freedome of this towne and hath taken the oath belonging therunto.

(*x.*) 8 March 1644.—Order (in reference to a letter from Sir John Mildrum, begging for ammunition and victuals, to assist him in holding Scarburgh against the enemy) that Mr. Maxey and Mr. Robinson aldermen, and Mr. Jonas Scott and Mr. Murford of the common counsell shall forthwith "make fitt such provision of beare and victualls, as they shall think good and fittinge, and send the same to Scarbrugh to the said Sir John, nott exceeding fower hundred powndes." Copy of this letter from Scarburgh was sent to the Committees of Cambridge and Norwich.

(*y.*) 18 March 1645.—Order of Assembly for the execution of the order of Commissioners (dated 13 March 1644, and signed—Miles Corbett, Valentyne Walton and Tho. Toll), requiring, in accordance with order of parliament, the heir of Mr. Thomas Gurlyn (late Mayor of Lynn), Sir Hamon Lestrange and Robert Clench esquire, to pay in equal proportions the sum of 287*l.* 1*s.* 6*d.* in compensation of damage done at their instance and command to the Mayor and burgesses of Lynn; it having been shown "that Thomas Gurlyn late Mayor of the said towne of Lynne, Sir Hamon Lestrange knt., and Robert Clench esquier did in or about the moneth of September 1643 att Lynne aforesaid unjustly comaund and cause certeyne houses and walls in South Lynne, of the said Mayor and Burgesses, to be pulled downe and demolished to the damage of the said Mayor and Burgesses, two hundred eighty-seven poundes one shilling and eight pence."

(*z.*) 24 November 1645.—This daye itt is agreed [and] ordered that Mr. Robinson, Mayor, shall att his pleasure sett up and build in Luth Street to his prevye dweelinge howse there one compleat porch, such as he shall think good.

(*aa.*) 8 September 1649.—It is this day ordered, That a letter be written to the Right Hon^ble^ the Earle of Salisbury by the Mayor from his house, to give him knowledge, that this house hath granted him the freedom of this burgh, and that the cominalty of this burgh hath elected him a burgess of the parliament of England."

(*bb.*)—September 1649.—Copy of the Earl of Salisbury's reply to the letter, sent him in accordance with the last given order,—Gentlemen, As the President you have made in choosing of me to be your burgess is unusuall (I beleeve) if not the first amongst you, so doth it lay the greater obligac'on uppon me, neither is that favour a little heightened by my being so much a stranger unto you as indeede I am. And as you have heere an open and free acknowledgment from me of your kinde and good affections in so unanimous an elecc'on of me to serve you in Parliament, as your letter doth expresse, so cannot they merit, or you expect more thanks then I do really retorne unto you for them; you have bene pleased cheerefully (as you say) to conferre your freedome upon me, I shall ever be as zealous in mantaining of yours. And as I am not ignorant of the great trust you have placed in me, so shall you never be deceived in it. For the addresses you are to make unto me (as your occasions shall require) they shall not be so many as cheerefully received, And whatsoever may concerne the publique good or yours shall ever be pursued with all faithfullness and diligence by him that is—

Hatfield, 15th Sep. 1649.

Your very loving friend,
SALISBURY.

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(*cc.*) 11 August 1656.—This day General John Desbrow and Maior-Generall Phillip Skippon are chosen in this House to serve as burgesses for this burrough in his Highnes next parliament at Westminster, upon the seventeenth day of September next, according to a precept directed to Mr. Mayor from the sheriff, which was this day read in this House.

„ „ It is this day ordered that the common seale be taken out and fixed to an indenture for the election of Generall Desbrow and Maior-Generall Skippon, being choses burgesses for the burrough, to sit in the next parliament by this House, which indenture is to be returned to the high sheriffe of the county.

(*dd.*) 26 September 1656.—It is this day ordered that Mr. John Horsnell of London be sent unto by this house as their solicitor in this behalfe to attende upon the Committee of Previledges at Westminster to make good this houses auncient Custome of electing of burgesses to set in parliament and that an abbreviate of the records be sent up to him in order to his prosecution of the same. And that in order thereunto Mr. Newelect Mr. Joshua Greene, Mr. Thomas Greene, Mr. Benjamyn Holly aldermen, the town clarke Mr. Robinson, Mr. Pope and Mr. Clampe, or any four or more of them, and any other of the house that please, be a Committee, And are desired to meet this afternoon . . . . to draw up instructions and state the busines of election clearly betweene this house and the comons of this burgh and make theire report to this house the next Hall day.

(*ee.*) 29 September 1656.—It is this day ordered that Mr. John Horsnell of London be desired to attend upon Mr. Clarke of Bury now being in London with such instruccions as shall be sent unto him concerneing the custome of this House for electing burgesses to sett in parliament for this burgh according to the order of the last Hall day, and that the committee appoynted the last hall day for that purpose do sett this afternoone.

(*ff.*) 19 December 1656.—This day Sir John Thorowgood was by this house chosen to be one of the burgesses to serve in this present parliament for this burrough in the roome and place of Gen'all John Disbrowe who hath made his election to serve for the county of Somersett and thereupon the common seale is by order taken out of of the Treasury and affixed to an indenture testifieing the said election.

(*gg*). 7 August 1657.—It is this day ordered that the chamberlyns doe pay unto Mris. Wheelock the summe of twenty shillings as a gratuity to her in consideration of a booke presented by her to this house being the 4 Gospells in the Pertian Language, the worke of her deceased husband.

(*hh.*) 7 August 1657.—Whereas William Dumbelow the marshall of this towne hath committed a very greate offence in not observeing the command of Mr. Mayor and Captain White upon this day of proclayming his Highnes the Lord Protectour whereby a difference hath beene likely to arise betweene the officers of this gairison and this towne, It is thereupon this day ordered that the said William Dumbelow for his neglect and default aforesaid be remooved from his said office.

(*jj.*) 8 September 1658.—Official announcement of Cromwell's death and of his appointment of Richard for his successor; dated from Whitehall 4 Sept. 1658, and signed—He. Lawrence Presid^{t}.—Followed by this Memorandum.

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Whereas it hath pleased Almighty God in his wise and over-ruleing Providence to take into his mercy the most Serene and Renowned Oliver late Lord Protector of this common wealth, And whereas his said late Highness did in his life tyme, according to the humble peticion and advice, appoynt and declare the most noble and illustrious lord, the Lord Richard Eldest Soun of his said late Highnes to succeed him in the government of these nations, We therefore the Mayor and other the magistrates of this burrough of Kings Lynn in the name and with the consent and concurrence of the comonalty of the said burgh doe with one full voyce and consent of tongue and hart publish and proclayme the said most noble and illustrious Lord Richard to be the Rightfull Lord Protector of this common wealth of England, Scotland, and Ireland and the dominions and territoryes thereunto belonging, to whome we acknowledge all fidelity and constant obedience according to law and the said humble peticion and advice, with all harty and humble affections beseeching the Lord by whome princes rule to blesse him with long life and these nations with peace and happines under his government.

God save his Highness Richard Lord Protectour of the common wealth of England, Scotland, and Ireland and the dominions and territoryes thereto belonging.

(XI). 10–36 Charles II.—Assembly (or Congregation) Book, No. X.; Large Folio of 537 leaves, with index to contents at the end of the volume, containing these noteworthy entries.

(*a*) 3 January 1658.—About Election of Burgesses to sett in Parliament. Whereas severall burgesses of this burrough of the commons at large have this day made their requestes to this house that they might be admitted to joyne with this house in the election of burgesses to sett in the next parliament to be houlden at Westminster the 27th day of this instant January, It is thought fitt and ordered that the resolves of the Committee of Priviledges of the last parliament and the parliamentes Orders thereupon concerning elections be first read unto them in the open hall which is done accordingly.

This day alsoe upon further debate of the aforesaid business of election of burgesses to sett in the next parliament for this burrough it being adjudged by this house that the right of election of the said burgesses is at present in this house according to the aforesaid order, It is therefore ordered that this house doe proceed to an election accordingly, And that in case the said commons at large shall after such election persist in theire desires to have the precept for election of burgesses to be read unto them That the same be read unto them accordingly for theire satisfaction.

Mr. Toll and Capt. Lloyd chosen burgesses for parliament. This day the Mayor, aldermen and common councell have elected and chosen Mr. Thomas Toll one of the Aldermen of this burrough and captain Griffifth Lloyd to be Burgesses for this burrough in the next parliament to be houlden at Westminster upon the 27th of January instant.

(*b*.) 16 April 1660. The election of burgesses to serve in Parliament waved by the House for this present election. Whereas Mr. Mayor hath this day caused a Common Hall to be warned in order to the election of burgesses to serve in the next parliament to be houlden at Westminster and severall of the members of the house being mett together in this house, divers of the free burgesses of this burgh came and requested that they might be admitted to elect burgesses for the

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said parliament as theire right, which being taken into consideration this house doth think fitt for the present satisfaction of the people to suffer the commons to elect, and to wave the election in this house for this present election.

(*b*) *Charters, Letters Patent, and Privy Seal Writs.*

11th century.—Charter (Latin and Saxon) of privileges, granted by King Cnut to the monks of St. Edmund's Bury; the Saxon part of the instrument having been translated into the following English by the late Mr. C. W. Goodwin,—"In the name of the Almighty Lord, I. Cnut, king, make known to all men concerning the counsel which I have taken with my counsellors, for my soul's need and for the benefit of all my people, that is to say:—That I grant eternal freedom to the holy king Saint Edmund in such wise henceforth as he had it heretofore in the place where he rests, and I will that this freedom stand in his dominion unchanged, from the power of every bishop of the shire whatsoever eternally free. And so often as men pay army-money or ship-money let the township pay, according as other men do, to the behoof of the monks, who shall therein serve [God] in our behalf. And we have chosen that no man shall ever convert the place to the use of men of another order, unless he would be cut off from the communion of God and all his saints. And I grant to the monks for their nourishment all the fishery which Ulfkytel owned at Wylla, and my toll of fish which arises to me along the sea-coast. And my queen Ælgyfu grants to the saints four thousand eels with their services which pertain to them, at Lakinge hithe. And I grant to them jurisdiction over all their townships in all their land, which they now have, and may hereafter acquire by God's grace." Regarded with suspicion by Kemble, and pronounced a forgery by Hickes, this interesting document may be said to have recovered the confidence of Saxon scholars through the critical judgment and ingenuity of the late Mr. C. W. Goodwin, who offered cogent reasons for thinking it a genuine performance, in a paper to be found in the Fourth Volume of "Norfolk Archæology."—Also, resting amongst the Lynn Muniments, a Latin Charter, purporting to be a confirmation of King Cnut's charter, by his son Hardecnut. Forbearing to pronounce this second charter an altogether spurious fabrication, on account of its penmanship, which, in the absence of strong reasons for declaring the document a piece of pure imposture, might be assigned to the hand of the same twelfth-century copyist of a genuine writing, Mr. Goodwin produced internal evidence that the document is nothing more than one of the ingenious forgeries, of which the monastic scriptoria were fruitful. How these two writings came into the possession of the burgesses of Lynn is a matter of conjecture; but as the endorsements of both parchments demonstrate them to have been at Bury so late as 1536, it has been reasonably assumed that the genuine charter and the later fabrication came to the Mayor and burgesses of King's Lynn, together with the title-deeds of a property (formerly pertaining to Bury Abbey), which they bought at Brandon co. Norfolk, and have since sold. For further particulars of these interesting MSS. readers are referred to Mr. Goodwin's masterly essay (Norfolk Archœology vol. IV.) "On two Ancient Charters, In the Possession of the Corporation of King's Lynn."

14 September, 6 John.—Charter of concessions by King John to the Burgesses of Lenn, with clause granting to them "quietanciam murdri infra burgum de Lenna et quod nullus eorum faciat duellum," and a

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clause saving the rights of the Bishop of Norwich and his successors, and of the Earl of Arundel and his heirs. Dated at Lutgershall.—Also, duplicate of the same charter, with a different arrangement of the names of the witnesses, amongst whom appears Alan Basset, a name that is not placed in the testamentary clause of the other writing.

6 February, 17 Henry III.—Charter of Inspeximus and Confirmation of the charter of concessions, dated at Lutgershall by King John on 14th September in the 6th year of his reign to the Burgesses of Lenn. Dated at Westminster.

14 April, 39 Henry III.—Charter, entitled "Ne quis pro alio distringatur," to the Burgesses of Lenn. Dated at Windsor.—Also, duplicate of the same charter.

26 March, 52 Henry III.—Charter of Inspeximus and Confirmation of the charter of concessions, dated at Lutgershall by King John on 14th September in the 6th year of his reign to the burgesses of Lenn; With further Grant to the same burgesses of power to elect their mayors, in accordance with a charter granted to them in former time by the Bishop of Norwich and his Chapter:—"Cumque quondam Norwic' Episcopus et Capitulum suum Norwic' concesserint et carta sua confirmaverint prefatis burgensibus quod ipsi per suam eleccionem creare possint sibi aliquem de suis in maiorem et maiorem ab eis creatum eidem Episcopo et successoribus suis presentare sicut per cartam eorundem quam inspeximus nobis constat evidenter, Nos pro . . . . . concessimus pro . . . . . prefatis Burgensibus et heredibus suis quod loco prepositi sui predicti decetero eligant maiorem et maiorem suum sic electum teneant sine impedimento nostri vel heredum nostrorum imperpetuum qui quidem Maior namium illorum qui thelonium vel consuetudinem a Burgensibus predictis ceperint excepta civitate London' ut superius inde apud Lenn capiat &c." Dated at Westminster.

29 November, 9 Edward I.—Charter of Inspeximus and Confirmation of the charter of concessions, dated at Lutgershall by King John on the 14th September of the 6th year of his reign to the burgesses of Lenn; With Inspeximus and Confirmation of the charter, dated at Westminster by Henry the Third on the 26th March in the 52nd year of his reign to the same burgesses. Dated at Westminster.

17 February, 18 Edward.—Privy Seal Writ addressed to the Mayor bailiffs and good people at Lenne; For the equipment and setting forth of the ships of the town, so that they may be ready at Portesmouth by mid-lent next ensuing, in accordance with orders given them by the King's Admiral towards the north. Dated from Westminster.

30 September, 19 Edward.—Privy Seal Writ addressed to the Mayor, steward and bailiffs of Lenne; Enjoining them, if they would escape heavy loss and their sovereign's indignation, to do what they shall be told by the King's Admiral towards the north and John de Harsick, or by either of them, who have been despatched to the parts of Lenne on certain of the writer's necessities. Dated at Mersefeld.

20 July, 29 Edward I.—Charter of Inspeximus and Confirmation of the charter, dated at Westminster by Henry the Third, on the 16th February of the 13th year of his reign to the burgesses of Oxford: With Inspeximus and Confirmation of the charter of concessions, dated at Westminster by the same King Henry the Third, on the 26th of March in the 41st year of his reign, to the burgesses of Oxford. Dated at Caldstrem per manum nostram.

5 April, 33 Edward I.—Charter of concessions to the burgesses of Lenn:—Granting that they may have their Gild Merchant, together with

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all lands and buildings pertaining to the same gild: that the same burgesses shall not be impleaded out of the borough by foreigners, in respect to contracts, demands, or other matters made or done within the borough; and that the Mayor for the time being of Lenn may make reasonable distresses for talliages and other reasonable aids, assessed and to be levied on the community of the borough, for the use of the same community. Dated at Westminster.

7 April, 33 Edward I.—Letters Patent of Pardon and Release to the burgesses of Lenn, in respect to all trespasses, &c. said to have been done by them in assessing divers talliages on the community of the said town, without the unanimous assent of the same community, and in levying the same talliages from the poor and but moderately endowed men of the same community, and other great sums of money under colour of certain common fines, heretofore made by them for divers causes, beyond the sums to which the same fines extended themselves, and in converting to their own use, and not to the advantage of the said community, nor to the reparation (emendacionem) of the same town, a great part of the same talliages and other different sums of money formerly levied in the same town, as well by occasion of the aforesaid fines as by occasion of murage granted unto them by us, and also in committing divers "forestalla et prisas" of merchantable things coming to the same town, of their own peculiar authority, against the law of our kingdom, and in establishing and using in the same town certain corruptions, contrary as well to common law as to law-merchant. Dated at Westminster.

26 May, 35 Edward.—Privy Seal Writ addressed to the Mayor and bailiffs of Lenne. For their prompt and zealous compliance with a recent ordinance that all chattels and moveable things, forfeited to the King in the ports of his realm by offenders against "le statut de la monoie," be no longer delayed, but immediately on the very days of their becoming forfeit be seized into the King's hand by his servants in those places, and without delay remitted to the Chamberlains at the receipt of his Exchequer. It being ordered that no one, high or low, of what condition so ever, be spared in this matter. Don' a Kardoyl.

16 May, 6 Edward II.—Charter of Inspeximus and Confirmation of the charter, dated at Westminster by Edward the First, on the 29th of November in the 9th year of his reign, to the burgesses of Lenn, and also of Inspeximus and Confirmation of the charter, dated at Westminster by the same King Edward the First, on the 5th of April in the 33rd year of his reign, to the same burgesses; with grant to the same burgesses of freedom throughout the kingdom, "de panagio muragio, kanagio; Salvo jure Episcopi Norwycen' domini dicti burgi et successorum suorum." Dated at Westminster.—Also a duplicate of the same charter.

28 September, 11 Edward.—Privy Seal Writ to the Bailiffs and good people of the town of Lenne. For that news has come to us that our enemies of Scotland have laid siege to our town of Berewyk-on-Twede with a great number of people, wherefore we have need to send thither men and ships for the rescue of our said town and the safety of our people who are there, We pray and charge you as especially as we are able that you will aid us sufficiently and with good will with your navy well equipt with men and victuals in aid, for the rescue of our aforesaid town.—Promise being given of reasonable repayment of the costs to which the bailiffs and good people shall put themselves in the matter; order being given for their ships and men to be at Scardeburgh

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on the 12th of next October, to proceed thence in the company of Simon de Driby who has been appointed "cheveteyn de la navie" about to be sent for the rescue of the aforesaid town. Dated at Eu'Wykes.

28 March, 12 Edward.—Privy Seal Writ addressed to the Mayor, bailiffs, and good people of the town of Lenne; Enjoining them to comply with the requirements of the Bishop of Norwich, Monsr Aymer de Valence, Earl of Pembroke and Monsr Walter of Norwich, or two of the three, touching aid of ships and men for the king's navy, to be for a time at the charges of the town and afterwards to remain in the king's service and also in his pay, for the despatch of his war with Scotland. Dated at Euer Wyk'. Though it remains at Lynn, this writ is no longer in the hands of the Corporation.

1 August, 16 Edward.—Privy Seal Writ addressed to the Mayor and bailiffs of the town of Lenne (on information that many ships charged with victuals have come to the said town), Ordering and strictly charging that no such ships, that have or shall come thither, be permitted to discharge there, but be required to proceed with their victuals to the North parts for the sustenance of the king and 'hoste." Don' a Noef Chastel-sur-Tyne.

5 August, 16 Edward.—Privy Seal Writ addressed to the Mayor and Bailiffs of the town of Lenne, on information that divers ships laden with wheat, rye and other victuals have entered the haven of the said town. Referring to previous letters on the same subject, and expressing astonishment that he has heard nothing in reply to them, the King orders the Mayor and bailiffs to permit no such vessels to discharge at Lenne, but on pain of forfeiture and his further displeasure to compel all of them to proceed promptly with their freight for the sustenance of himself and his host. Don' a Goseford.

1 April, 9 Edward III.—Charter of Inspeximus and Confirmation of the charter, dated at Westminster by Edward the Second, on the 16th of May in the 6th year of his reign, to the burgesses of Lenn: With further grant that (the burgesses of Lenn having been heretofore accustomed to bequeath by will their tenements in the said burgh according to custom) the wills touching tenements bequeathed in the said burgh may be proved and enrolled in the Guildhall before the Mayors and burgesses for the time being of the said borough; With further grant of freedom from arrest to the said burgesses and their successors in respect to their own persons, and also in respect to their ships, merchandise, goods and chattels, "pro debito aliquo unde principales debitores plegii seu manucaptores non existant aut pro delictis et transgressionibus aliorum infra regnum nostrum." Dated at Nottingham. —Also, a duplicate of the same charter.

24 February . . . . . Edward.—Privy Seal Writ addressed to the Mayor and the community of Bishop's Lenne. It having come to the King's knowledge that certain people of the said town are causing fear and trouble there, to his injury and to the prejudice and damage of his most dear and well-beloved William, Bishop of Norwyc and seigneur of the said town, the king bids the same Mayor and community, under pain of forfeiture, to alter their demeanour, and bear themselves otherwise if they would escape his most grievous anger. Dated at Westminster.

8 August, 10 Edward.—Privy Seal Writ addressed to the Mayor and bailiffs of Lenne: Bidding them deliver for reasonable payment to Roger Daketon, the King's larderer, a sufficient ship for taking by sea five thousand fish between Lenne and Euerwykes for the use of the King's household.—Don' . . , a Nicole.

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9 August, 10 Edward.—Privy Seal Writ addressed to the Mayor and bailiffs of Lenne, bidding them to do what is right to Walter le Cotillor Deuer-Wyk' and his wife Isabel in respect to their requirements. Don' . . . a Nicole. Though it remains at Lynn this writing has passed from the hands of the Corporation.

5 November, 11 Edward.—Privy Seal Mandate addressed to the Mayor and community, for immediate payment to the King's larderer, Roger de Accon, of the fifty marks due from them for provision of fish for the King's household. Dated from Westminster.

17 April, 15 Edward.—Privy Seal Writ addressed to the Mayor of Lenne. A letter of credence for John Lambert, in which the Mayor is enjoined to put perfect trust in the said John Lambert, who has been enjoined to confer with the Mayor, and give him particular information, respecting certain of the king's most urgent needs. Dated at Westminster.

27 April, 1343.—Letters Patent of Inspeximus and Confirmation, dated by Brother William de Claxton Prior to the Church of the Holy Trinity of Norwyc and the Convent or Chapter of the same place, for the perpetual confirmation to the burgesses of Lenn of all liberties and things granted to them in former time by the charter of John by God's grace Bishop of Norwich. Dated at Norwyc, sealed with the seal of the chapter, and endorsed "Confirmacio libertatum ville Lenn concessarum per Capitulum Norwici juxta libertates Oxon.'"

20 May, 17 Edward III.—Letters Patent of a Mandate to the Mayor and honest men of Bishop's Lenn. For the strict observance of the Statute of Warranty provided for every person impleaded respecting lands in the city of London, who shall call a foreigner for Warranty, and also for the observance of the provision that, when a plea shall have been moved in London by brief respecting any tenement in the same city, it shall not be lawful for the tenant to make waste "de tenemento petito pendente placito predicto." Dated at Westminster.

24 December, 18 Edward.—Privy Seal Writ, addressed to the Mayor bailiffs and good people of Lenne, for the timely provision of one hundred of the most soldierlike and vigorous men of the said town, armed in accordance with the precise requirements of the present writing, and for their punctual appearance on the appointed day of mid-Lent next coming at Portesmouth, thence to proceed in the king's service, in the expedition for the rescue and defence of his Duchy of Gascoyn.

5 August, 23 Edward.—Privy Seal Writ, addressed to the Bailiffs and community of the town of Lenne; For their prompt and zealous action in drawing together all the ships galleys and other vessels of their port and coast, and in putting them upon the sea, to follow the King's fleet, in accordance with directions to be given by the bearer of the writ, Peter de Donewyz, the King's clerk. Dated at Westminster.

—— 1352 A.D.—Indenture of Agreement, whereby William by God's grace Bishop of Norwich, with the consent of his chapter, for the determination of all dispute and contention between him on the one part and the Burgesses and community of the town of Lenn on the other part, respecting the election of the Mayor of the said town, granted that henceforth the burgesses of the said town should be able to elect annually their Mayor, on condition that every Mayor of Lenne so elected and sworn in the said town be presented within three days of his election at Geywode by his comburgesses to the said bishop or to the same bishop's steward in case of the bishop's absence from his manor,

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and at his presentation promise to discharge his official duties faithfully, and preserve from injury the rights and liberties of the Church of Norwich within the said burgh. Dated at Norwich.

20 July, 30 Edward.—Lettters under the Privy Seal to the well beloved Bailiffs and good people of the town of Lenn; In acknowledgment of their manifestations of affectionate concern for the writer's honour and profit, and for the honour and advantage of all his people, and also for the good despatch "de n're guerre Descoce.", Don' . . . . a Euerwyk'.

2 July, 33 Edward.—Privy Seal Writ to the Bailiffs of Len, charging them "si marchanz ou autres gentz viegnent a la dite ville par mer, ou par terre, od nuls ostours qui soient a vendre, et vous puissez trover nul de eux qi soit plus graunt de corps qe autres ne soient communalment, qe ceu facez prendre a n're oeps, ia soit ce qil sit les pennes brisees." Don' a Smerden.

10 November, 34 Edward III.—Letters Patent of Special Pardon to the Mayor, burgesses and community of the town of Bishops Lenn co. Norfolk. Dated at Westminster.

20 November, 41 Edward.—Privy Seal Writ, addressed to the Mayor and bailiffs of Lenne: For their zealous compliance with the requirements and furtherance of the business of John de Swanlond the king's clerk, and William Getour the king's mariner, who have been appointed to take at Lenne suitable and sufficient ships for the king's service. Don' . . . . "en Park de Wyndesores."

4 May, 51 Edward III.—Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated at Walton on 10 July in the eleventh year of his reign by Edward II. to the Mayor and burgesses of the towne of Lenne, and granting during pleasure to the same Mayor and burgesses the custody of the same town, and its defence against the attacks of foreigners, and all others being the king's enemies. Dated at Westminster.

9 February, 1 Richard II.—Charter of Inspeximus and Confirmation of the charter, dated at Nottingham by Edward the Third on the 1st of April in the 9th year of his reign, to the Burgesses of Lenn. Dated at Westminster.

17 May, 9 Richard II.—Letters Patent of a Commission addressed to John Brunham, Mayor of the town of Lenn, and to John Waryn, Richard de Honton, Roger Paxman, Henry de Botele, and Thomas Curson, to array all the able-bodied men of Lenn and also of South Lenn between the ages of sixty and sixteen years, and to put the town together with South Lenn in a state of defense against the King's enemies of France and their adherents and all his other enemies; With power to the commissioners to levy moneys on the inhabitants of the burgh and of South Lenn for the execution of the commission, and to punish persons resisting their orders.—Dated at Westminster.

3 September, 16 Richard II.—Letters Patent of Licence of Alienation: granting to John de Brunham and Thomas de Conteshale of Lenn licence to give and assign to the Alderman and brethren of the Gild Merchant of The Holy Trinity of Bishop's Lenn five messuages, a quay, ten pounds six shillings and eight pence of rent, and the profit of the passage of a boat beyond the port of Bishop's Lenn. With Licence to the Alderman and brethren of the said gild to hold the same messuages, quay and rents and profit to themselves and their successors for ever, for religious uses, the Statute of the Mortmain notwithstanding. The

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grant being made from special favour and also in consideration of the sum of one hundred and twenty pounds, paid to the King by Henry de Betele the alderman and by the brethren of the said Gild.—Dated at Beverley.

20 September, 16 Richard II.—Letters Patent of Licence to John de Brunham mayor of the town of Bishop's Lenn, to give and assign to the Mayor and community of the said town a certain messuage and a certain rent of seventy-five shillings and seven pence half-penny in the said town, and also of licence to Richard Dun to give and assign to the same Mayor and community a certain rent of twelve pence and the profit of the passage of a boat out of the port of the same town, with their appurtenances in the same town: With licence to the same Mayor and community and their successors to hold the same, together with other things mentioned in the grant, to religious uses, the Statute of Mortmain notwithstanding.—Dated at Wodestoke.

11 January, 2 Henry IV.—Letters Patent of Mandate to the Mayor and bailiffs and community of the town of Lenn: For their speedy preparation and complete equipment this side the quindene of Easter next coming, of a barge fully provided to serve as a vessel of war against the King's enemies.—Dated at Westminster.

27 May, 2 Henry (IV.)—Letters Patent of Licence to John Prentys, Thomas Throthe, John Berwyk, John Meye, and Robert Ferrour of Southlenn and John Wynteryngham, to found and make of themselves and other persons, as well men as women, in the Church of All Saints of Southlenn, a gild and fraternity to the praise and honour of the Holy Trinity; With power to the brethren and sisters of the same gild to elect yearly and as often as shall be needful from themselves a Master or Warden, and further licence (of alienation) to William Gaysle chaplain to give and assign to the Master or Warden the brethren and sisters aforesaid a certain messuage and a rent of twelve pence, for the support of the burdens of the said gild, and also to same Master or Warden brethren and sisters to take the same messuage and rent and hold them to themselves for ever, the Statute of Mortmain notwithstanding.—Dated at Leycestre.

16 March, 11 Henry IV.—Charter of Inspeximus and Confirmation of the charter, dated at Westminster by Richard the Second, on the 9th of February in the 1st year of his reign, to the Burgesses of Lenn. —Dated at Westminster.

10 April, 1 Henry V.—Letters Patent of Exemplication of Letters Patent, dated at Westminster by Henry IV. on the 25th of November in the 14th year of his reign, of Inspeximus of a certain memorandum touching certain decrees of the Venerable Thomas by God's grace Archbishop of Canterbury and Chancellor, upon certain discords and controversies between certain "de potentioribus" of the town of Bishop's Lenn of the one part, and the Mayor burgesses and community of the said town of the other part, respecting certain oppressions and extortions &c. committed by the said "potentiores" on the said Mayor burgesses and community, and upon certain articles &c. touching the same,—viz. A memorandum that, whereas certain strifes and controversies had arisen between Robert Botekesham late mayor of the said town and certain of the Potentiores of the same town of the one part and the Burgesses and community of the town of the other part concerning certain oppressions and extortions &c. alleged to have been done against the said Burgesses and Community by the said Mayor and Potentiores, and whereas afterwards Roger Galion Mayor of the

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aforesaid town and the Potentiores Mediocres and Inferiores and whole community of the same town in respect to the said alleged oppressions and extortions &c. submitted themselves to each and all the decrees and ordinances of certain eighteen persons set forth in a certain writing of Submission, and whereas for the greater security of the same Submission and of the fulfilment of the same decrees and ordinances, certain persons have become bound in certain sums of money to the said Mayor and community, as is set forth in the said Writing of Submission, running in these words 'To all Believers in Christ to whom &c. . . . . Know that we as well the Mayor and potentiores as the mediocres and inferiores aforesaid in respect to all and each of the said discords and strifes &c. . . . . , and all the said oppressions and extortions &c. . . . . by these presents firmly submit ourselves to the decrees and ordinances of the eighteen underwritten persons, namely, Thomas Waterden, Robert Brunham, John Spicer, James Brigge, John Thoresby, Bartholomew Sisterne, William Briccham, John Bilneye, Bartholomew Patypas, William Baret, Philip Franke, William Hereford comburgesses of Lenn aforesaid, William Halleyate, John Thilney, Robert Appelton, John Cokfeld, Thomas Middleton, and John Cressyngham inferiores not burgesses of the town of Lenn aforesaid, Which decrees and ordinances and every decree and ordinance to be pronounced by the same eighteen persons &c. . . . . We the Mayor and Potentiores for our part and We the Mediocres and the Inferiores not burgesses for our part and the whole community of the town of Lenn aforesaid by these presents promise to fulfil in all things; and further for the greater security of this present Submission and for the faithful fulfilment of the decrees and ordinances of the said eighteen persons, on the part of the Potentiores, Edmund Belleyetere, Thomas Waterden, John Wintworth, Thomas Brygge, Robert Brunham, John Brandon, Ralph Bedyngham, William Hounderpound, James Brygge, Richard Thorp, Richard Dendy, John Wesenham, Bartholomew Systerne, Andrew Swanton, John Bolt, John Spicer, John Home, John Lakynghithe, Robert Salesbury, William Briccham, John Thoresby and Thomas Hunt have each been bound by themselves by their obligatory writing in the sum of one hundred pounds to the Mayor and community of Lenn aforesaid and their successors, And on the part of the Mediocres and of the Inferiores not being burgesses William Baret, Robert Narburgh, Adam Whyte, William Hereford, Richard Waterden, Alexander Draper, Nicholas Dunton, Thomas Ploket, Richard Letthour, John Bilneye, John Masye, Philip Franke, John Muriell, John Butworth, William Style, Walter Todenham, William Colles, William Baldewyn, Richard Constable, Geoffery Gatleo, William Waterdon, John Alger, Henry Elmham, Nicholas Martyn, John Bentleo, John Frost, Ralph Topcrofte, Thomas Worsted, Thomas Walsyngham bocher, Robert Burgeys, John Brekerop, John Drewe, John Fylyppe, William Spire, James Nichasson, Hugh Cook, Bartholomew Toftes, John Cawod, Robert Randes, John Loueday sporyour, Richard Wyche, Peter Cambell, Philip Bylneye, Adam Candeler, Bartholomew Petypas, Henry Fouldon, John Berewyke, John Wynche, William Waldon, John Syleden, Richard Thewyck, John Parmenter, John Warner, John Hert, Thomas Skarlet, Henry Drewe, John Shermon, Henry Gil, William Norfolk, John Tydde, John Maupas, John Sisterne, Geoffrey Joynour, Richard Lyndeseye, Thomas Rudham, John Dytton, John Noble, Simon Rody, William Blakeneye, Edward Bonet, Thomas Paynot, John Beuerleo, Thomas Truyt, Reginald Castollacre, John Wythe, John Crosse, William Bedyngham, Thomas Langton, Robert Hadlee, Thomas Langton, John Brightyowe, Thomas

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Throthe, Adam Marcant, John Brunham senior, *burgesses* of Lenn aforesaid, have each been bound by themselves by their obligatory writing to the said Mayor and Community and their successors in the sum of fifty pounds of the money of England, And John Wyrham, William Hillyngton, John Perche, Richard Lyster, Nicholas Shermon, John Chesterton, Andrew Fourbour, Walter Baxter, Thomas Wyrmgeye skynner, John Wystede, Richard Gedney, John Kyng bocher, Nicholas Barbour, William Pye, John Franke, John Tamworthe, Stephen Lyster, Robert Gyle, William Wygenhale, John Broun taylour, Richard Pymond, Richard Caluebane, Robert Fourbour, John Candeler wolman, Thomas Lynmour, William Wolmon, John Wotton, Thomas Bonet, John Clerk barbour, John Melleford, Roger Fraunceys, John Crosse skynner, John Walpole bocher, Thomas Stalworth, William Wesenham cordwaner, John Worthyn, John Trunche, Roger Loksmythe, John Albot, John Hesell, William Peautrer, John Honton, John Swayn fletcher, William Pressour, John Barbour, Thomas Baryngton, John Gotthe, William Hanspe, John Wermegeys, John Walham, John Botthe draper, Thomas Gocche glover, Roger Broun barker, John Balder skynner, Robert Sadde, John Cambz, John Steynour, William Blome, William Luswyk, John Godyng, William Hallegate, John Tylneye, Robert Appelton, John Cokfeld, Thomas Midilton, and John Cressyngham, *not being Burgesses* of Lenne aforesaid, have each been bound by themselves by their obligatory writing in the sum of five pounds eleven shillings and two pence of the money of England to the aforesaid Mayor and community and their successors. . . . . ." Sealed with the common seal of the town of Lenn, and dated 15 Dec., 13 Henry IV. It is next recorded in the memorandum that the said eighteen persons, appointed to make decrees for the settlement of the matters in controversy, being hindered in coming together and unable to do so, agreed and decreed that whatsoever (with the assent of the Mayor and community of the town) the greater part of them, so long as it was a greater part consisting of at least ten persons, determined respecting any of the said matters, should be firm and valid as though all eighteen had been present at their decision; this agreement being made by a writing, dated in the Gildhall of Lenn on 8 April, 13 Henry IV., and set forth in the memorandum, which goes on to record how, in accordance with powers given to them, the said eighteen persons (1) disallowed the claim made by John Belleyetere, one of the party of the Potentiores, on the Mayor and community for 36*l.* 13*s.* 8*d.* for expenses incurred by him when he was mayor of the town; (2) also declared unjust and disallowed the claim for 70*l.* 15*s.* 10*d.* made on the Mayor and community by Thomas Watirden, one of the party of the Potentiores, for expenses alleged to have been incurred by him, when he was Mayor of the town; (3) also declared unjust and disallowed the claim for 80*l.* 10*s.* 0*d.* made on the Mayor and community of the town by John Wyntworthe, one of the party of the Potentiores, in respect to expenses alleged to have been incurred by him when he was Mayor of the town; (4) also declared unjust and disallowed the claim for 69*l.* 2*s.* 4½*d.* made on the Mayor and community by Thomas Watirden, John Bitteryng, and Thomas Hunt, executors of the testament of Robert Botekesham, late Mayor of the town, in respect to expenses alleged to have been incurred by the said Robert Botekesham deceased during his said mayoralty; and (5) also declared unjust and disallowed the claim for 122*l.* 1*s.* 5*d.* made on the Mayor and community by Thomas Brigge, one of the party of the Potentiores in respect to expenses alleged to have been incurred by him for the town's benefit, in the times when he

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was Mayor of the town; and (7) granted a quit-claim to John Brunham, Edmund Belleyetere, Thomas Watirden, and to the aforesaid executors of Robert Botekesham, and to John Wynteworth, of the party of the Potentiores and formerly mayors in respect to a certain sum of 457*l.* 19*s.* 7*d.*, which sum, in addition to very many other sums of money spent against Henry le Dispenser, late Bishop of Norwich, the aforesaid John Brunham, Edmund Belleyetere, Thomas Watirden, Robert Botekesham, and John Wynteworth, whilom Mayors of the town, from the first to the 13th year of Henry the Fourth, disbursed without the consent of the aforesaid community unjustly and inordinately, to the serious prejudice and extreme depoverishment of the same community; and (8) decreed that henceforth the Mayor of the said town should receive in accordance with ancient custom 10*l.* for his fee for the year of his mayoralty, and further for his reward whatsoever the Community of the said town (videlicet, potentiores mediocres et inferiores non burgenses) shall put aside for this purpose with regard to his merit or demerit, this being however observed with respect to rewards of this kind that the mayor do not exceed the same; and further (9) decreed that the Mayor answer to the Community for all arrears of all contributions coming up for the town's benefit during the year of his mayoralty; and further (10) decreed that yearly each mayor should choose and take to himself three persons of the Potentiores, and three persons of the Mediocres, and three persons of the Inferiores, not being burgesses of the aforesaid community, which nine persons together with the said mayor should, during the year of his said mayoralty, have full power to deal with the rents, &c. of the same community; and (11.) further decreed that the Inferiores not being burgesses of the same community, who hitherto against order of justice have been deprived of their certain privileges, should have and enjoy for ever all the privileges granted to them by a certain Composition, made between John formerly by God's grace Bishop of Norwich of the one part and the Mayor and Community of the town of Lenn of the other part: The aforesaid ordinances and decrees being embodied and set forth in certain writing dated at Lenn, by the majority of the aforesaid eighteen persons on 20 May, 13 Henry IV., and assented to by the Mayor and Community at the same place and time, and further confirmed by the several writings of assent, made by individuals of the aforesaid Potentiores, Mediocres, and Inferiores of the said town of Lenn, and dated respectively on 16 July, 18 July, and 21 July, 13 Henry IV. The remainder of the memorandum being the record of proceedings in the Court of Chancery for the confirmation of the aforesaid ordinances and decrees made by the aforesaid eighteen persons; the record closing with the aforesaid Chancellor's decree for the confirmation of the same ordinances and decrees, delivered on 17 November, 14 Henry IV. Dated at Westminster.—Also, a copy of the same Letters Patent of Exemplification, made on membranes stitched together in the form of a pamphlet.—Also, in connection with the foregoing Letters Patent of Exemplification, it may be observed that there remain amongst the Lynn Muniments the three obligatory writings set forth in the same Letters Patent and said therein to have been dated respectively at Lenn on the 20th of May, the 16th of July, and the 21st of July, in the 13th year of Henry the Fourth.

20 May, 2 Henry V.—Letters Patent of Inspeximus and Confirmation of the charter, dated at Westminster by Henry the Fourth, on the 16th of March, in the 11th year of his reign, to the burgesses of Lenn. Dated at Leicester.

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2 June, 4 Henry V.—Letters Patent of Exemplification of the Tenor of a certain instrument for the Revocation of divers new ordinances and constitutions and for the reestablishment of the ancient constitutions and customs for the election of officers in the town of Bishops Lenn. "Henricus &c. . . . . salutem: We have inspected the tenor of a certain revocation of certain new ordinances, made in the town of Bishop's Lenn by certain late burgesses, made by the Mayor jurats and community of the said town, sent to us into our Chancery in these words.

To all sons of the holy mother the Church who shall see these presents. We the Mayor jurats and the rest of the comburgesses of the town of Bishop's Lenn and the whole community of the same town greeting in the Saviour of all men, Whereas our progenitors and predecessors of happy memory formerly burgesses of the aforesaid town from time in which memory does not stand for the better and healthier government of the same town were accustomed to make twenty and four jurats of the more discreet honest and worthy and more sufficient burgesses of that town and a certain election of a Mayor chamberlains common clerk common serjeant-at-mace, and other officers and ministers in the same town yearly by virtue and authority of certain liberties and privileges granted to our said progenitors and predecessors and their heirs and successors by the charters of the noble progenitors of our most excellent prince and lord in Christ the lord Henry by the grace of God King of England and France and lord of Ireland with the assent and at the special requisition of the then Bishop of Norwich of memory to be honoured and lord of the said Town and confirmed by our same most dread lord the King, under certain manner and form following, That is to say That all the burgesses of the aforesaid town yearly in the vigil of the Feast of the Decollation of St. John the Baptist be summoned and warned by the common serjeant-at-mace, in the name and by the authority of the Mayor for the time being of the said town to assemble on the following morrow with the Mayor and jurats for the time being of the said Town at the Guildhall of that town as well for electing the Mayor as for electing the aforesaid officers and ministers, who being thus assembled the Alderman for the time being of the Gild of the holy Trinity of Lenn or any other person appointed in his place by him if he shall not be able to attend respecting the election of this kind choose and nominate four of the more worthy and more sufficient burgesses of the same town not being of the state and degree of the aforesaid jurats, and then being there present, to elect to themselves eight other of their comburgesses likewise not being of the said state or degree of the twenty-four Jurats for making choice of the Mayor and the rest of the officers and ministers of the said town for the year then next following, which twelve burgesses thus elected, a certain accustomed oath having been first taken of the common clerk of the aforesaid town, should proceed at once [cum effectu] to making election of one of the aforesaid twenty and four jurats and of no other to the office of Mayor of that town and of others of their comburgesses and others not burgesses to the offices of chamberlains, common clerk, common serjeant-at-mace and janitors and also to the offices of belleman and wayte in that town for the year next following; Who being thus then elected to the aforesaid offices should on the next following Michaelmas-day and not before in the aforesaid Gildehall receive without delay of the common clerk of the aforesaid town the oaths pertaining and customary to their offices, which having been thus done they should continue in do and exercise their offices of this kind throughout one entire year. Respecting the election indeed of the

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aforesaid twenty and four jurats, this was the ancient custom that as often as it should happen that one or more of the said twenty and four jurats should die or voluntarily relinquish his state and degree or otherwise his demerits compelling him to be reasonably removed and expelled from the same, then the Mayor for the time being of the same town and the rest of the remaining jurats in the presence of all and each of the rest of the burgesses of that town wishing to be present at warning made to them on the part of the aforesaid Mayor by the aforesaid sergeant-at-mace in the aforesaid Gildhall should so often and when there be need elect admit and ordain another or others of the more worthy honest discreet and more sufficient of the aforesaid burgesses in the place of him or them thus dying retiring or being removed to do and exercise the state and degree of this kind, who being thus elected admitted and ordained the customary oath having been taken should continue for life in the state and degree of this kind, unless it should happen from the causes aforesaid that they or any one of them should voluntarily retire or be removed therefrom, And moreover if it should happen that any one or more of the coroners or constables should die or on account of old age or any other reasonable cause should retire or be removed, then the said Mayor for the time being should cause the burgesses of that town to be warned by the common serjeant aforesaid to be in the aforesaid Guildhall for electing the deficient officer or officers of this kind and on the appearance of all his comburgesses wishing to be present there, the aforesaid Mayor should nominate four of the same comburgesses, who should in like manner nominate eight others of the comburgesses then being there present, which having being done the twelve thus nominated, the customary oath having been first taken, should elect and ordain another person or persons in place of him or them of the coroners or constables aforesaid either wanting or removed, Which ordinances elections and ancient customs being held enduring and being observed in the aforesaid manner our aforesaid progenitors and predecessors the Mayor jurats burgesses and community of that town rested happily under the sweetness of peace and quiet throughout the days of prosperous times, But now greviously discords strifes controversies riots dissensions and quarrels have for long sprung up and increased amongst the comburgesses and others of the same town, by reason of certain new ordinances and constitutions concerning and about the elections of the Mayor and the rest of the jurats officers and ministers aforesaid, made by certain late burgesses of the aforesaid town and others adhering to them and more than wont which is to be deplored increase and grow in these days, the tenor of which new ordinances and constitutions in the form ensuing follows, Be it remembered that whereas lately divers dissensions discords and controversies have been moved and have arisen between the Mayor of the town of Bishop's Lenn and the more part of the burgesses of the aforesaid town on the one part, and certain others of the burgesses of the aforesaid town on the other part, about and concerning the yearly election and the manner and form of the election as well of the Mayor in the aforesaid town as of the chamberlains prelocutor common clerk common serjeant-at-mace janitors and other ministers and officers wont to be yearly elected in the same town, and also about and concerning the election and the manner and form of the election of comburgesses of the aforesaid town whenever it may happen that they should be elected as well to the state and degree of the twenty and four jurats as often and whenever it may happen for any one or more of the said state and degree to die or voluntarily retire or for his or their demerits to be removed by the

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same as to the offices of coroners constables or others in the same town, The King our present dread Lord to whose ears through the suit of certain persons have resounded the aforesaid dissensions discords and controversies observing that the dissensions discords and controversies of this kind arising not only from the aforesaid causes but also from ancient discords not fully and cordially put to rest, between the aforesaid parties lying hid have broken forth anew between the same parties, and that by this the more quickly very many disturbances and commotions may easily result between the same parties and the rest of the burgesses of the said town and the community of the same, And wishing not only to take precaution against dangers of this kind, but to put an end to strifes, and more quietly and securely to reform and the more firmly to establish peace and tranquillity between the same parties, caused it by his royal power to be declared, that certain of the aforesaid parties should come before him, and caused his will respecting the premises to be declared to them, the aforesaid declaration being also thus made, he of his royal benignity urged the aforesaid parties for making concord renewing peace and altogether putting an end to strifes amongst themselves, that the same parties at the gracious instance of the same King by his royal authority and also with the unanimous consent and mere free and unforced will of the same parties made a final concord between them, concerning and about the aforesaid dissensions discords and controversies and in the following form respecting the elections and day of election of the Mayor jurats prelocutor and other officers following, and also in respect to the time of the Mayor's coming into the aforesaid mayoralty and the manner and form of the taking and receiving of his oath with the needful articles following being agreed unanimously for themselves and their successors that it should be held in the aforesaid town, That is to say, That henceforth the election of the Mayor in the aforesaid town should for ever be made yearly in the same town, in the manner and form in which it was used in the City of London, or at least to the greatest possible conformity with them of London, for so much that in the aforesaid town there are not had aldermen wards recorder nor divers other things as in the City of London but by statutes in the said town are twenty-four jurats, and that henceforth yearly that election take place on the day of the Decollation of St. John the Baptist, and he who had then been elected on Michaelmas day then next following and not before in the Gildhall of the aforesaid town, to the same town it was the custom that he should take the oath, the common clerk of the same town giving that oath to the same elected person, and that having been done he should take upon himself the state and degree and should continue in them, as the highest disposed, throughout an entire year, and as to the form and manner of the election, it was agreed that all burgesses of the aforesaid town who should be able and willing to assemble at the Guildhall of the same town in the aforesaid day of Decollation, for electing a Mayor of this kind, might come there freely, and the congregation of this kind having being made there should be public proclamation that no one under penalty of imprisonment presume to give voice to take part in making the said election unless he should be a comburgess or minister of the aforesaid town, And immediately afterwards it should be enjoined by the prelocutor and common clerk of the aforesaid town on all the burgesses thus assembled, That the same burgesses with good deliberation should then and there severally [divisim] elect and nominate two of the twenty-four jurats or of others who were formerly of the number of the twenty-four jurats, of the degree and state of the twenty-four jurats of this kind, notoriously not discharged on account of

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dishonesty or public causes or their demerits, which two thus to be chosen and nominated the same burgesses believed the more discreet more sufficient and more useful to the community of the twenty-four jurats and others aforesaid to take and hold the office of the Mayoralty to God's praise and the aforesaid towne's good fame advantage and honor, and thus under this form should be named the aforesaid two thus to be nominated, that it be first be enquired by the prelocutor and common clerk of the aforesaid burgesses, to whom in the first place and to whom in the second place they would wish to give their voices and this with due intervening pause, so that one of them may be named clearly, and those appointed to this work may be able to have full report of him before inquisition be made respecting the other, and it being well and carefully seen by the prelocutor and clerk aforesaid who in the first place and who in the second place in this matter have the larger number of voices amongst the aforesaid burgesses, For the true reporting of which and presenting it to the Mayor and jurats the prelocutor and clerk should be themselves amongst the burgesses aforesaid and the same prelocutor and clerk be firmly sworn forthwith to report publicly the names of those two persons, that is to say of him who had the greater number of voices for first, and of him who had the greater number of voices for second, faithfully and without fraud to the same twenty-four jurats in the chamber appointed for their session and state, and this being done, the Mayor of the aforesaid town first and then each of the aforesaid jurats should in series and secretly declare and each of them should declare his wish to the aforesaid prelocutor and clerk respecting the one or the other of those two persons whose names were thus presented to them the Mayor and jurats for to be then elected to be Mayor, And the same common clerk under the observation of the same prelocutor should write down severally and secretly the wishes in this respect of each of the aforesaid Mayor and jurats, and he of the aforesaid two thus presented on whom the greater part of the same Mayor and jurats may agree should be chosen and made Mayor for the year then next to come, and the election thus made faithfully should be announced immediately to the same burgesses, so that if the aforesaid two thus presented have an equal number of voices amongst the aforesaid Mayor and jurats, then the voice of the Mayor should be counted for two voices, so that in a case of this kind he who shall have the Mayor's aforesaid voice should be agreeably named chosen and had for Mayor of that town for the year then following. Also in respect to the election of four chamberlains in the aforesaid town it was agreed that every year, the aforesaid mayor having been elected and it having been agreed respecting him among the jurats and burgesses, forthwith two of the burgesses of the aforesaid town on which two the Mayor and jurats for the time being in the aforesaid [manner] shall have agreed for taking the state or office of a chamberlain or at least the greater part of the same twenty-four jurats shall have agreed, the voice of the Mayor being computed as is aforesaid for two voices in case that amongst the same Mayor and jurats both parties be equal in voices and a greater party be not found, should be elected in the aforesaid form to be two of the aforesaid chamberlains by the same Mayor and jurats, And for the election of two other chamberlains in every year aforesaid two other burgesses should be named and chosen for the two other chamberlains by the burgesses themselves being present, as for the election of a mayor, or by the greater part of the same, the testimony and record of the aforesaid prelocutor and clerk sworn in form aforesaid being always taken, as to which two of the burgesses of the aforesaid town the greater part of the burgesses taking part in the election shall agree [to elect] as is

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aforesaid, the intention of either party being that neither the said chamberlains nor either of them be in any year chosen out of the twenty-four jurats and that no one of the same jurats be in any manner taken to the office of those chamberlains. Also it was agreed that when anyone of the aforesaid twenty-four jurats shall die or it shall happen that any one of them shall voluntarily retire or be removed from the grade and state of the twenty-four jurats, either by withdrawal deposition or exoneration either on account of old age or infirmity of body or any other cause whatsoever, then immediately the Mayor for the time being should appoint a day for this matter and by the common sergeant-at-mace give notice to the twenty-four jurats and all the other burgesses aforesaid of the said day and warn them to be then in the Chamber and Gildhall aforesaid, and all the burgesses aforesaid not being of the number of the twenty-four jurats who may wish to come together, then and there should with good deliberation amongst themselves elect and name from amongst themselves two persons whom likewise they believe more discreet faithful and more sufficient men to take the state and degree of jurats to God's praise and the aforesaid town's advantage and honor, and that the aforesaid prelocutor and clerk to this in like manner sworn should be in this matter present amongst the same burgesses, who should in the chamber aforesaid of the twenty-four jurats in this respect faithfully and without fraud in accordance with their oath thus taken forthwith present publicly to the same jurats the names of those two of the aforesaid burgesses on whom all the aforesaid burgesses shall have agreed, or at least the greater part shall have agreed, which names being thus presented, if it may appear to the same twenty-four jurats or at least to the greater part of the same twenty-four jurats that the two aforesaid burgesses thus presented to take the state and degree of this kind are sufficiently discreet and sufficient or that either of them is sufficiently discreet and sufficient, then immediately he of the aforesaid two thus presented, on whom the greater part of the aforesaid twenty-four jurats shall agree for being the more discreet and more sufficient, should be taken and advanced to the degree and state of this kind by the same jurats, the oath customary in this respect having been first taken by him, and should forthwith be numbered with them and rated for one of them, Otherwise if it appear to the greater part of the same twenty-four jurats that neither of the aforesaid two is for any reasons in this respect sufficiently discreet and competent, then those persons being omitted the aforesaid burgesses should come together again immediately in the Gildhall, and in the places of the omitted persons should elect two others from themselves the same burgesses, and that as well the choice as the assumption to the aforesaid state and degree as well for that time as henceforth, when there be need for any persons to be chosen and assumed to the same, should be of the more discreet more faithful and more sufficient burgesses of the aforesaid town as is aforesaid in the aforesaid form. And it was agreed that no one henceforth should be elected to the aforesaid degree of the twenty-four jurats nor be established in that degree unless he be of free condition and have at least a hundred solidates of rent, And that if henceforth at an election of this kind there be elected a common victualler selling by retail, he should put aside this kind of selling of victuals and till he do so should not be taken to the same degree, and that after being assumed into the aforesaid degree, and during his continuance in the same degree, he should not be a common victualler as is aforesaid under penalty of removal from the aforesaid degree. And in like manner in all things as the twenty-four jurats are elected, that the coroners and constables should be elected whenever

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such officers need to be elected, this nevertheless being added that coroners of this kind and constables should be chosen indifferently from the twenty jurats or all other burgesses at the discretion of the electors. Also it was agreed and ordained that if anyone henceforth sue for the exoneration of anyone being of the state and degree of the twenty-four jurats, or the removal of the same person from the aforesaid degree and state for any cause whatsoever, or any one of the twenty-four jurats wish to sue for his own proper exoneration on account of old age sickness or infirmity of body or for any other cause whatsoever, the Mayor for the time being should on this appoint a certain day and give notice of the same day to all the jurats and burgesses aforesaid by warning them by the common serjeant-at-mace to be present in the aforesaid Chamber and Gildehall, and that on the coming together at the said day in their Chamber of the aforesaid jurats with the aforesaid Mayor, and of those of the burgesses who wish to be present in the Gildhall, and on mature deliberation had separately by them upon the reasons against thus removing and discharging anyone by any persons in this respect put forward, or upon the reasons for exonerating the same person alleged for his discharge by himself or by any other person in his name, if the reasons thus proposed and alleged appear effectual and reasonable to the greater part of the same Mayor and jurats, and also to a part of all the other burgesses being in the Gildhall, then the same jurat against whom the same reasons for his removal have been set forth, or by whom the same reasons have been alleged for his discharge, should be discharged from the aforesaid degree and state and another person to be elected in his place and in form hereabove specified, the customary oath being first taken, should be demanded and charged, Otherwise the aforesaid person should not be removed from the aforesaid degree and state nor at his own suit nor the suit of any one else be discharged from the same degree and state for that time in any way, And that in this respect the Mayor's voice be computed for two voices in case that in the discussion of the aforesaid reasons there be not found a greater party amongst the Mayor and jurats aforesaid, and as to how the greater part of the burgesses had itself in the aforesaid discussion, full credence be had in the prelocutor and clerk to this matter sworn and in the report to be made in this respect by the same in accordance with that which is contained more fully in the form set forth in respect to the election of the Mayor. And it was agreed that yearly at the Feast of St. Bartholomew, due warning having been made by the common serjeant-at-mace as well to all the twenty-four jurats as to all the other burgesses of the aforesaid town for assembling in the aforesaid Chamber and Gildhall, in the form aforesaid with the assent of all the burgesses not being of the grade of the twenty-four jurats or at the least of the greater part of the same there should be elected one of the burgesses not being of the state of the twenty-four jurats to be prelocutor of the aforesaid town for the year then next coming and that, immediately after election, the person thus elected should take his oath before the Mayor jurats and all the burgesses, and henceforth for the aforesaid year continue and exercise his abovesaid office, And that there should be a report and presentation in this case by the common clerk to this matter sworn, as to the burgess upon whom the greater part aforesaid of the burgesses should agree for the aforesaid prelocutor. Also in respect to the offices of common clerk common serjeant-at-mace janitor at the east gate janitor at the west gate and janitor at the gate of St. Anne in the aforesaid town and the office of belman and the office of the wayte for the same town it was agreed and ordained that

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every year there should be a nomination of men for the aforesaid offices by the Mayor and jurats for the time being, and this as well of the Burgesses as of all persons whatsoever according to the advice and discretion of the aforesaid Mayor and jurats, on the aforesaid day of the Decollation immediately after the making choice of the aforesaid chamberlains.

So that always if controversy respecting elections of this kind or anyone of them should in any way whatever be had amongst the aforesaid Mayor and jurats, those persons to be elected on whom the greater part of the aforesaid Mayor and jurats agree be appointed to the abovesaid offices, and be placed severally in the same according to the nomination thus had, contradiction or choice of the smaller part notwithstanding. Provided always that if a greater party cannot be found, but both parties be equal, that then the Mayor's voice be taken for two voices as has been said very often in order to make a greater part. Provided also that the aforesaid officers having been nominated in the aforesaid form their names be immediately made known to the burgesses being in the Gildhall, and that for a nomination of this kind at least the greater part of the same burgesses be content, And that if the greater part of the burgesses being in the Gildhall be not content respecting a nomination of this kind or any one of the persons of this kind nominated, for repeating a choice of this kind the major part and the aforesaid jurats may pass without delay to another nomination, and that in the places of the persons thus refused there be named in the aforesaid form such persons as those to whom to the greater part of the burgesses be willing to give agreement and contentment, and that the prelocutor and common clerk for the time being to this matter sworn see and on their oath faithfully report every year to what officers in this respect the greater part of the burgesses have given their voices, and with respect to whom they may be willing to be contented and with regard to whom not to be contented. But if the greater part of the burgesses be not able to be contented with the persons thus nominated at the first turn, or with those nominated at a second time, that then the same persons or person, on whom the greater part as well of the twenty-four jurats as of all the other aforesaid burgesses agree for holding the aforesaid offices or any of them, should be elected to those offices or that office and hold them or it according to the election thus made a third time. Also it was agreed that in the preferment of the prelocutor and common clerk of the aforesaid town to their aforesaid offices either of them should take his customary oath for doing and exercising faithfully and without fraud his office and all things pertaining to the same, before the Mayor and jurats for the time being in the Chamber of the Gildhall, And that the common clerk's oath should be in these words "Thou shalt swear that thou wilt be faithful to the Mayor jurats and all the rest of the burgesses of the town of Bishop's Lenn in whatever pertains to the office of common clerk in the aforesaid town in all times whatsoever and that without influence or motive of hatred or favour whatsoever between the Mayor and jurats and the rest of the comburgesses of all the town aforesaid thou wilt not make report unfaithful coloured or mixed with falsehood in any matter of those things that concern thy office, but without fraud to anyone to be done thou wilt according to thy knowledge make faithful report and not other between all degrees whatsoever of the same town as to thy office belongs, also in all cases thou wilt render and have thyself indifferent aswell as in writing examining and reporting as in doing whatsoever pertains to thy office towards the Mayor jurats burgesses every and all degrees and the community of the aforesaid town and that thou wilt

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reveal to no one the counsel of the same to the aforesaid town's injury or dishonour and if thou shalt learn or know anything by which to your knowledge injury or disgrace shall be able to happen to the aforesaid town thou wilt warn the Mayor for the time being or some one of the twenty-four jurats who shall be willing and able in thy estimation to amend this between thee and him and in what better way thou shalt know, and thou shalt not procure discords and dissensions between the aforsaid Mayor jurats degrees of the burgh and community or any of them secretly or openly, nor shalt thou know of any discords of this kind and dissensions but thou shalt hinder them, or as far as thou shalt be able thou shalt for allaying discords of this kind and not for justifying them reveal it to those of the aforesaid town who shall be able to hinder it so as God and the holy evangelists may help you." And that the prelocutor in his preferment take the same oath (things to be changed being changed), and nevertheless as well in the election of the Mayor as of all the other aforesaid degrees and officers and at every and all times when it shall happen that the same prelocutor and clerk or either of them shall do any of the affairs of their offices that their aforesaid oath be renewed, that is that it be taken again as it shall seem to be expedient to Mayor jurats and burgesses, and that if any prelocutor or common clerk be found unfaithful against his oath and be duly convicted of infidelity of this kind he lose as well his aforesaid office as his franchise of the aforesaid town and from then in no manner be restored to the same office and franchise nor do exercise or occupy henceforth any other office in the aforesaid town.

We therefore observing how certain immense expenses charges losses and intolerable damage by reason of the aforesaid discords strifes controversies riots and dissensions from the time of the first establishment and completion of the said new ordinances and constitutions in the aforesaid town have happened, and by process of time much greater will happen and are feared to happen, unless they be restrained, lest they redound to the final destruction and depauperization but also the desolation and probable overthrowing of all that town, which may it be far distant, and wishing to take precaution against losses and burdensome injuries of this kind, and according to our power to pluck up by the roots and extirpate the aforesaid strifes quarrels and dissensions from the said town and from the persons inhabiting the same and to bring back and reform peace quiet and true concord between us and our heirs and successors with the lords favour and help, and thus being reformed to establish it for ever, by the tenor of these presents revoke make void render vain and annul all and each of the aforesaid new ordinances and constitutions made for and about the election of the aforesaid Mayor jurats officers and ministers and contained and specified in the said memorandum, which have furnished as is premised the fuel of grief and hatred, and every particle of the same, by our common consent will and authority for ourselves our heirs and our successors, Being unwilling that the same new ordinances and constitutions be henceforth any further used in the aforesaid town by ourselves or our said heirs or successors or be drawn in any manner whatsoever into consequence use or exercise, But that henceforth for ever they be wanting of all their power and virtue. And Further for the better healthier and more discreet government of the aforesaid town of our aforesaid common counsel consent assent will and authority We Will grant ordain give and declare for ourselves our heirs and successors aforesaid that the aforesaid ancient customs ordinances and constitutions and all other laudable and prescribed customs in all and each of their articles "connexis et dependiciis" whatsoever from now and even for ever be held

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kept and firmly observed, and that if it happen that the Mayor for the time being of the aforesaid town within his year before he shall have executed the office of his mayoralty throughout one year should die, the Alderman for the time being of the aforesaid Gild be able to accomplish occupy and exercise the office of the Mayor of this kind thus dying until the end of that year as in the same Town in like case from ancient time the custom was, the said new ordinances and constitutions in any way notwithstanding.

We are unwilling nevertheless nor is it of our intention that by colour of the premises there be in any respect any derogation from the right of the Cathedral Church of the Holy Trinity of Norwich or of our Venerable Father and Bishop of the same place Lord of the said Town of Lenn. In testimony of which thing we have caused to be put to these presents the new common seal of the said town of Lenn. Dated at Lenn aforesaid on the first day of June in the fourth year of the Reign of Henry the Fifth after the conquest of England. We moreover at the request of the aforesaid Mayor jurats and the rest of the comburgesses and community of the aforesaid town have thought right by the tenor of these presents to exemplify the tenor aforesaid, In testimony of which thing we have caused these our letters patent to be made. Teste me ipso apud Westmonasterium on the second day of June in the fourth year of our reign.

3 July, 1 Henry VI.—Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated at Leicester by Henry the Fifth, on the 20th of May in the 2nd year of his reign, to the burgesses of Lenn. Dated at Westminster.

12 July, 1 Henry VI.—Letters Patent of a Pardon and Release to William Trewe alderman of the Gild Merchant of the Holy Trinity of Bishop's Lenn, and to the wardens or scabins and to the brethren and their predecessors of the same Gild. Dated at Westminster.

13 December, 3 Henry VI.—Letters Patent of Exemplification of certain letters, made under the Privy Seal, and addressed by the same King to all Proconsuls, consuls, judges, &c. of Eric by God's grace King of Dacia, Norwegia and Swecia, touching the affairs of certain of the said King of England's subjects of his town of Lenne and certain merchants "de Hansa" using mercatorially the parts of Northberne; and for determining all discord between them in respect to the same matters. Dated at Westminster.

20 June, 6 Henry VI.—Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated on 6 June in the 5th year of his reign by Henry the Fourth, empowering English merchants "in partibus Prucie Dacie Norweie Hanse et Swethie commorantes," to assemble at their pleasure in a sufficient place, and to elect governors to themselves and make ordinances for their self-government in mercantile matters and for the furtherance and better execution of their affairs of commerce; power being accorded to the governors so elected to mete out reasonable punishment to any of the aforesaid English merchants, disobeying the governors so elected and the ordinances so made. Dated at Westminster.

14 February, 19 Henry VI.—Letters Patent of Inspeximus and Confirmation of Letters Patent of concessions to the Gild of the Holy Trinity of Lenn, dated at Beverley by Richard II. on 3 September in the 16th year of his reign: With further concessions to the same Gild. Dated at Westminster.—In duplicate: one of the parchments being

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so decayed and injured by damp that it is legible only in places, whilst the other writing is in perfect preservation.

1 December, 20 Henry VI.—Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated at Leicester by Henry the Fifth, on the 20th of May in the 2nd year of his reign; With reference to the confirmation of the same last-named Letters Patent dated by Henry the Sixth on the 3rd of July in the 1st year of his reign, it being stated that the King confirmed them on this previous occasion, with the assent of Parliament.—The initial letter, beautifully drawn in pen-and-ink, of these Letters Patent is surmounted by the Sovereign's crown, with the legend "Dieu et Mon Droit" on the head-band. Below the floreated letter, the draughtsman has depicted in pen-and-ink an angel bearing the shield of the Arms of Lynn. Dated at Westminster.

1 February, 26 Henry VI.—Letters Patent of Licence to Marmaduke by God's grace Bishop of Carlisle, Sir Thomas Scales knt., and Imaine his wife to empower William Goderede to give and assign a certain mill called Scalesmylle to Henry Thoresby now alderman and to the wardens or scabins and the brethren of the Gild of the Holy Trinity of Bishop's Lenn, and of licence to Master Adam Gerard clerk and Henry Wryght chaplain, to give and assign to the same Gild two messuages and six acres of land with appurtenances in South Lenn: With licence to the said Gild Merchant to take the same mill, messuages and land and hold them to themselves and their successors for ever, the Statute of Mortmain notwithstanding. Dated at Westminster.

29 January, 34 Henry VI.—Letters Patent of Pardon and Release to the Alderman and wardens or scabins and the brethren of the Gild Merchant of the Holy Trinity of Bishop's Lenn. Dated at Westminster.

16 December, 1 Edward IV.—Letters Patent of Inspeximus and Confirmation of Letters Patent, dated at Westminster 4 October, 8 Henry IV., granting licence to John Brandon, Bartholomew Cisterne, and John Snailwell of Bishop's Lenn, to found and establish in the church of St. Margaret of the said town a perpetual fraternity of brethren and sisters to the honour of God and of the glorious martyr, St. George, with permission to the brethren and sisters of the same gild to elect yearly and as often as may be necessary an alderman and four wardens of the same gild: With licence to the same alderman and wardens, the Statute of Mortmain notwithstanding, to hold a certain tenement with an adjacent quay, and all the buildings pertaining to the same tenement and quay, &c., of the annual value of ten marks, for the maintenance of one or two chaplains, to celebrate divine rites in the said church for the healthful estate of the said King Henry the Fourth and his consort Joan, Queen of England, during life, and for their souls after death, and for the souls of the said King's father and mother, and for the healthful estate of the brethren and sisters of the aforesaid gild and of their successors during life, and for their souls after death, and also for the performance of other works of piety:—With further Licence, by the present grantor, to the alderman and wardens of the same fraternity, the Statute of Mortmain notwithstanding, to acquire and hold lands and rents, to the yearly value of ten pounds, over and beyond the said ten marks, for the better sustentation of the said one or two chaplains, to celebrate divine services for the healthful estate of the present King (Edward IV.) and of George duke of Clarence and Richard duke of Gloucester, and of George bishop of Exeter and Richard earl of Warwick, and of the brethren and sisters of the Gild during life, and for the souls of aforesaid King, &c. afte[r]

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death, and also for the souls of the King's father Richard late Duke of York, and Edmund late earl of Rutland, and Richard earl of Salisbury, and of all who have died in the faith. Dated at Westminster.

6 December, 13 Edward IV.—Letters Patent of Exemplification, of Letters Patent dated by Edward III. on 24 June in the 20th year of his reign at Porcestre, appointing William Basset, William de Thorp, Edmund de Grymesby clerk, Robert de Thorp, William de Notton and Roger Petygard, commissioners to enquire respecting allegations that John de Ely late Bishop of Norwich assumed to himself and his successors, bishops of Norwich, view of frank-pledge of the men and tenants of the town of Lenn "necnon hustengum eadem villa ac cogniciones de contractibus, convencionibus et transgressionibus ibidem emergentibus, &c.," with lands and tenements in former time had by the Mayor and community of the said town, and that by pretext of this acquisition the present bishop holds the same and other privileges and certain tenements pertaining to the said Mayor and community, together with the Inquisition taken and the Return made by the same Commissioners: With Inspeximus of a certain brief, dated at Windsor on 6 July, in the 20th year of his reign by Edward the Third, to the same Commissioners: With Inspeximus of a certain other brief, dated at Westminster by Edward III. on 20 August, in the 20th year of his reign (Teste Leonello filio nostro carissimo Custode Anglie) to William de Thorp, directing that the same view of frankpledge, husteng, liberties, lands and tenements be committed to the keeping of the Sheriff of Norfolk and to the King's Escheator there, until further order be taken in respect to them, by the advice of the King's council; with the said William de Thorp's reply, that in obedience to the aforesaid brief the same View of Frankpledge and Husteng, &c. have been taken into the King's hand and committed to William de Middelton, sheriff and escheator of Norfolk.

16 July, 14 Edward IV.—Charter of Inspeximus and Confirmation of the Charter of Inspeximus and Confirmation, dated at Westminster by Richard the Second, on the 9th of February in the 1st year of his reign; With Inspeximus and Confirmation of the Letters Patent, dated to the Burgesses of Lenn by Edward the Third on the 4th of May in the 51st year of his reign, of Inspeximus and Confirmation of the Letters Patent, dated at Walton by Edward the Second on the 10th of July in the 12th year of his reign, granting to the Mayor and burgesses of Lenn the custody of their said town against all hostile attacks by aliens, &c., and power of assessing subsidies on all persons of the same town for its defence, with the power of making distresses for levying the same; reservation being made of all rights pertaining to the Bishop of Norwich and his successors. Dated at Westminster.

21 February, 1 Richard III.—Letters Patent of Inspeximus and Confirmation of the Charter of Inspeximus and Confirmation, dated at Westminster by Edward the Fourth, on the 16th of July in the 14th year of his reign, to the Mayor and burgesses of Lenn. Dated at Westminster.

10 May, 2 Henry VII.—Letters Patent of Inspeximus and Confirmation of the Letters Patent of Inspeximus and Confirmation, dated at Westminster by Richard the Third on the 21st of February in the 1st year of his reign, to the Mayor and burgesses of Lenn.

6 August, 3 Henry VII.—Letters Patent of Pardon and Release to the Aldermen and wardens or scabins and to the brethren of the Gild of the Holy Trinity of Bishop's Lenn. Dated at Westminster.

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MSS. OF THE BOROUGH OF KING'S LYNN.

24 November, 4 Henry VIII.—Letters Patent, dated to Richard the now Bishop of Norwich, of Inspeximus and Confirmation of a series of Charters and Letters Patent, dated by successive sovereigns of England to successive Bishops of Norwich, from the charter dated by William King of England to Herbert Bishop of Norwich and the monks of the church of the Holy Trinity at Norwich. ["W., &c. . . . . Salutem, Sciatis me dedisse Herberto Episcopo terras illas omnes quas viderunt et determinaverunt et circum iri fecerunt Walthelin Episcopus et R. Capellanus et Rogerus Bigotus ad ecclesiam suam faciendam et ad domos suas et monachorum suorum faciend' apud Norwicense Castrum et hoc cum soca et saca et aliis consuetudinibus omnibus Ita quidem quod Episcopus ibi constituat monachos qui ibidem serviant usque ad finem seculi perseverantes et vos Vnfr' et Rad' et Odb'te seisite Episcopum inde, &c."], to Letters Patent, dated at Westminster on 9 May, 3 Henry VII., in Confirmation of divers charters, closing with Letters Patent, dated at Westminster by Edward IV. on the 8th of December in the 1st year of his reign.

11 February, 16 Henry VIII.—Letters Patent of Exemplification and Confirmation of the rights pertaining to the Bishop of Norwich in Lynn; setting forth in detail the ancient tolls and customs of the port of Lynn, afterwards vested in the corporation of the borough.

27 June, 16 Henry VIII.—Letters Patent of a new charter, for the reconstitution of the burgh of Bishop's Lenn co. Norfolk, with a Mayor, twelve aldermen, eighteen common-councilmen, a recorder, a town-clerk, nine constables, two coroners, four serjeants-at-mace, and a clerk of the market; with appointment of Thomas Miller to be the first Mayor under the charter; and with the appointment of John Grendell, John Burd, Richard Bewshere, Robert Amfles, Thomas Leighton, William Castell, Richard Brice, Cristofer Brodbank, John Water, Edward Newton, Richard Peper, and Robert Parmenter to be the first twelve aldermen under the new charter, each of them being appointed to the office of alderman for life, "dummodo se bene gesserit in officio"; power being granted to the same Mayor and aldermen and their successors to come together in the Guildhall and there elect whensoever and so often as they shall please eighteen burgesses from the burgesses of the borough, to be the common council of the same borough; power being given to the said common council of eighteen burgesses or the greater part of them at the Feast of the Decollation of John the Baptist in each year to choose one alderman from the existing aldermen, who has not held the Mayor's office for the last five years, and make him to be Mayor of the said burgh for a single year, to enter upon and hold the said office of Mayor from the Feast of Michaelmas next following his election thereto till the Feast of Michaelmas next following; power also being given to the same common council of eighteen burgesses or the greater part of them, on the death or removal from office of any one or more of the aldermen, to elect in the Gildhall another burgess or other burgesses in place of the burgess or burgesses so dying or being removed, to hold the office of alderman for life unless lawful cause for his removal shall arise or happen; power moreover being granted to the Mayor and aldermen for the time or the greater part of them to remove from the common council any member thereof whom they may think fit to remove and expel therefrom, and also, in case any member or members of the common council die or be removed, to elect at their discretion from the burgesses other burgesses or another burgess to hold office in the common council in place of the members or member thereof thus

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dying or being removed. It is granted that in all places within the borough the Mayor for the time being may have a sheathed sword borne before him by a sword-bearer, to be elected for that purpose by the Mayor and aldermen or the greater part of them. Directions are given for the election of the recorder and town clerk and for swearing them into office. Power is given to the Mayor, and aldermen and common council or the greater part of them for creating new burgesses within the burgh according to their discretion, so that no one be a burgess of the burgh or as a burgess enjoy any liberty therein, until he shall have been elected and made a burgess by the aforesaid Mayor aldermen and common council or the greater part of them for the time being. Provision is made for the election and swearing in &c. of the clerk of the market, coroners, nine constables and officers for the conservation of the river, from St. Edmund's Nesse to the sewer of the Staple Were. Together with other concessions for the advantage of the burgesses it is granted that no one foreign to and outside the freedom of the borough may henceforth buy aught of or sell aught "in gross" to any like foreigner within the limits of the burgh, except only at the time of the fair, under pain of forfeiture to the king, his heirs or successors, of the things so bought and sold. Full power is granted to the Mayor aldermen and common council to levy taxes on the inhabitants of the burgh, for the defence of the said burgh against the water-flow and for other necessary matters happening from time to time within the burgh, and to punish at their discretion all persons resisting the collection of such needful taxes. A clause for the preservation to the Bishop of Norwich and his successors of all rights pertaining to him and them within the burgh.

7 July, 29 Henry VIII.—Letters patent to Mayor, burgesses and inhabitants of Lynn. Reciting briefly the Letters Patent, dated to the Mayor burgesses and inhabitants of Lynn Episcopi on 27th June in the 16th year of the king's reign, and confirming the concessions made by the same Letters, and also Reciting briefly the Act of Parliament (3 Nov. 21 Hen. VIII. to 4 Feb. of the 27th year of the same reign) vesting the Temporalities of the Bishop of Norwich in the Crown, the present Letters Patent ordain that henceforth the borough instead of being called Bishop's Lynn shall be styled King's Lynn, and with other concessions grant to the same Mayor burgesses and inhabitants two courts every week in the Gildhall for holding pleas and plaints before the Mayor and recorder or either of them, or the deputies or deputy of either of them, and another court to be called The Tolboth Court and to be held before the same Mayor and recorder or either of them or the deputies or deputy of both or either within the said burgh, or the limits of St. Edmondnesse and Staple Weyre, for hearing and determining plaints and pleas for transgressions done and debts arising by water within the same limits, and also a yearly Court Lete within the same burgh: It being further Granted that the Mayor and recorder of the burgh, and those aldermen of the burgh who shall have served in the Mayor's office shall be Justices of the Peace within the burgh, and that the same Mayor burgesses and inhabitants of King's Lenn may have within the burgh two yearly fairs, and two markets in each week, with a Court of Pied Poudre to be held for ever in the times of the fairs and markets.

6 December, 1 Edward VI.—Letters Patent of Inspeximus and Confirmation of the charter, for the reconstitution of the burgh of Bishop's Lenn co. Norfolk, dated at Westminster by Henry the Eighth on the 27th of June in the 16th year of his reign. Dated at Westminster.

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MSS. OF THE BOROUGH OF KING'S LYNN.

21 May.—2 Edward VI. Letters Patent of the Grant in fee-farm to the Mayor and burgesses of the town of Lenn Regis of divers lands tenements and rents, late belonging to the Gild Merchant of the Holy Trinity, and of divers lands &c. late belonging to the Gild of St. George the Martyr, in the said town, at a yearly rent of 13*l.* 10*s.*; together with the grant to the same Mayor and burgesses of all the stock and store of mill-stones worth 40*l.*, late a parcel of the goods and chattels of the aforesaid Gild Merchant of the Holy Trinity, and also of 30*l.* late a parcel of the goods chattels and moneys of the aforesaid Gild of St. George the Martyr. Dated at Wanstead.

27 February, 1 & 2 Philip and Mary. — Letters Patent for the annexation (during pleasure) of South Lynn to the borough of Lynn Regis. Dated at Westminster.

11 August, 4 & 5 Philip and Mary. — Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated at Westminster by Edward the Sixth on the 6th of December in the first year of his reign, of Inspeximus and Confirmation of the Letters Patent, dated at Westminster by Henry the Eighth on the 7th of July in the 29th year of his reign, to the Mayor, burgesses, and inhabitants of Lenne. Dated at Richmond.

2 October, 4 & 5 Philip and Mary. — Letters Patent to the Mayor and burgesses of King's Lynn. Reciting the substance of the Letters Patent of 27 Feb., 1 & 2 Phil. and Mary, which annexed South Lynn to King's Lynn during pleasure, the present Letters Patent give South Lynn to the Mayor and burgesses of King's Lynn in fee-farm at a yearly rent of ten shillings, and further grant to the same Mayor and burgesses in fee-farm the manor of King's Lynn, and the quit-rents in the borough, being in the hands of the said King and Queen by force of an arrangement made between the Bishop of Norwich and the late King Henry the Eighth, to hold the same as of the manor of Estgrenewiche of the said King and Queen and of their heirs and successors, at a yearly rent of 13*l.* 13*s.* 6*d.* Dated at Westminster.

6 July, 1 Elizabeth.—Letters Patent of Exemplification of a certain Act of the Parliament (begun at Westminster on the 23rd of January in the same year), respecting the renewal of a fair in the town of King's Lynn, to be held there yearly on the next . . . . after the Feast of the Purification of the Virgin, and to last for six days. The parchment being so defaced by damp as to be illegible in the most important passages of the original writing.

20 May, 18 Elizabeth.—Articles Indented made and agreed upon by Robert Bell esquire, recorder of the towne of Kinge's Lynne co. Norfolk, and Stephen Thumblebye esq. recorder of the towne of Bostone in the countie of Lincolne, touching a matter in varyaunce for toll between certeyne of the inhabitantes of Bostone aforesaide being tenauntes of the Duchye of Lancaster of thone partye, and the Mayor and burgesess of Kyngyes Lynne aforesaid of thother partye.

1 December, 19 Elizabeth. — Letters Patent of Inspeximus and Confirmation of the Letters Patent, dated at Richmond by Philip and Mary on the 11th of August in the 4th and 5th year of their respective reigns, of Inspeximus and Confirmation of the Letters Patent, dated at Westminster by Edward the Sixth on the 6th of December in the 1st year of his reign, of Inspeximus and Confirmation of aforementioned Letters Patent, dated at Westminster by Henry the Eighth on the 7th of July in the 29th year of his reign. Dated at Westminster.

12 November, 2 James I.—Letters Patent of the grant of Admiralty Jurisdiction to the Mayor and burgesses of King's Lenn, on the death

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or resignation of the present Lord High Admiral, with confirmation in general terms of previous charters to the borough.—Dated at Westminster.

22 April, 9 James I. — Letters Patent for the reconstitution of the ancient hospital of St. Mary Magdalen in Gaywood, situated near the calcetum between King's Lynn and Gaywood co. Norfolk, with Governors, a warden or master, and ten, nine, eight, seven, six or five poor brethren and sisters. Dated at Westminster. — Also, Letters Patent of 27 January 15 James I., of a Commission, addressed to Sir Le Strange Mordant bart., and Sir Hamond Le Strange knt., and to John Richers, Owin Sheppard, John Founteyne and William Armiger esquires and appointing them commissioners to enquire and ascertain by the examination of witnesses the limits and bounds of a certain "faldecursus," in dispute between the Governors of the hospital of St. Mary Magdalen aforesaid plaintiffs and Henry Bastard and others defendants, and to return their finding into the Court of Chancery. Dated at Westminster.—Also, the Letters Patent (dated at Westminster, 4 June 5 James I.) of the grant, for life, of the "roome and place of Governor or Guyder of the Spitle Howse of Goworth" (*sic*) co. Norfolk, to Thomas Battie; the said grant being made in consideration of the said Thomas Battie's "service heretofore done in the warres," and of "his maymes sustained therein."

9 March, 17 Charles II. — Letters Patent of Inspeximus and Confirmation of charters dated by former sovereigns, beginning with King John's charter to the Burgesses of Lenn; granting to the borough a High Steward, and appointing a fine for refusal to serve in the office of an alderman. Dated at Westminster.

9 July, 36 Charles II. — Letters Patent for the reconstitution of the borough of King's Lynn, with a Chief Steward, Mayor, recorder, twelve aldermen, two coroners, a town clerk, and eighteen common councilmen. With appointment (for life) of Henry Duke of Norfolk to be first and present Chief Steward; of Benjamin Keene esq. to be first and present Mayor; with appointment of Henry Ferrour to be first and present recorder, "quam diu bene se gesserit;" with appointment of Sir Simon Taylor knt., Sir John Turner knt., and Benjamin Holley, Henry Bell, Thomas Robinson, Giles Bridgman, Edmund Tassett and Henry Chennery, esquires, and Edward Bodham, John Kidd, Edmund Hooke and Thomas Pepys gentlemen to be first and present aldermen, holding office for life, unless in the meantime the same aldermen or any one of them shall be removed from office for any reasonable cause; with appointment of Edward Bodham and John Kidd, gentlemen, to be first and present coroners; with appointment of Edmund Rolfe to be first and present town-clerk, holding office "quamdiu bene se gesserit;" and with appointment of Robert Sparrow, Osbert Backler, John Pulvertoft, William Hatfield, Robert Paine, Thomas Lemon, William Lynstead, Henry Bett junior, William Holley, Charles Turner, Henry Pope, Robert Few, John Taverner, Robert Awborne, Robert Allen, Timothy Preist, Robert Fuller, and William Stringer gentlemen to be the first and present eighteen members of the common council, holding office in accordance with the ancient usage of the borough: power being reserved to the King, his heirs and his successors, at their pleasure to remove, by order made in Privy Council and under the seal of the same Council, any Steward, Mayor, recorder, town clerk, justice of the peace, alderman, common councilman, or other officer of the said borough. Dated at Westminster.

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MSS. OF THE BOROUGH OF KING'S LYNN.

(c.) *Rolls from the Time of Edward the First to* 1656 *A.D.*

(1.)—Edward I.—Two Subsidy Rolls. (1.) The Roll of moneys gathered in a single constabulary of the town of Bishop's Lynn towards the payment of a Fifteenth, granted to the King by parliament in the 3rd or 29th year of Edward the First. To learn the reasons for assigning this roll to the one or the other of these years, the reader is referred to "Remarks on a Subsidy Roll in the Possession of the Corporation of Lynn Regis. Communicated by the Rev. G. H. Dashwood F.S.A." in the first volume of "Norfolk Archæology." (2) The Roll of moneys, gathered in a single constabulary of the town of Bishop's Lynn towards the payment of a tenth. Neither of these rolls is dated. Extracts from Roll (1) are given in Mr. Dashwood's paper. Roll (2) came to light after the publication of the antiquary's essay.

(2.)—Edward I. (?).—Imperfect Terrier of the town of Bishop's Lynn. Not dated; but assigned to Edward the First's time, by a note on the leather wrapper.

(3.) 24–6 Edward I.—Assize-of-Bread Rolls of the 24th, 25th and 26th years of Edward the First.

(4.) Edward II.—Copy, in hand-writing of Henry the Sixth's time, of a Terrier (temp. Edward II.?) of the part of Bishop's Lenn, called Neweland; ending with the words, "Hic explicit tota illa pars Lenn' que vocatur Newelond, scilicet ex parte Aquilonari dicte Ville."

(5.) 3 Edward II. to 1654 A.D.—Leet Rolls of the years of 3 Edward II.; 2, 7, 20, 26, 33, 46 and 49 Edward III., with undated membranes of divers rolls of the same reign; 3, 15, 18 Richard II.; 5, 6 Henry IV., with undated membranes of divers rolls of the same reign; 8 Henry V.; 4, 5, 6, 9, 13 Henry VI.; 20 Elizabeth; 13, 14, 21 James I.; and 1654 A.D. Also, to be mentioned in connection with these rolls, Headborough's Books of 1594, 1624, 1630, 1633, 1636, 1641, 1663, 1666, 1746 A.D., and similar books of later years.

(6.) Edward II. (?).—Undated Bede-Roll of the Gild Merchant of the Holy Trinity of Lenn; exhibiting 867 names of the brethren of the gild on two closely written membranes, the earlier membrane being headed, "Hii sunt fratres Gilde Mercatorie de Lenn."

(7.) October, 3 Edward II.—Illustrated copy of a Composition made between John by God's grace the Bishop of Norwich and Lord of the town of Bishop's Lenne of the one part, and the Mayor and Community of the said town of the other part.

(8.) 1 Edward III. to 4 & 5 Philip andMary.—Chamberlains' Yearly Accounts of receipts and payments, in the years 1–2, 5–6, 7–8, 8–9, 9-10, 10–11, 11–12, 12–13, 13–14, 14–15, 17–18, 20–1, 22–3, 23–4, 25–6, 27–8, 28–9, 29–30, 30–1, 31–2, 34–5, 35–6, 36–7, 38–9, 39–40, 41–2, 43–4, 44–5, 45–6, 46–7, 47–8, 48–9, 49–50 of Edward the Third, and 50 Edward III.—1 Richard II.; 1–2, 3–4, 5–6, 8–9, 12–13 of Richard the Second, and 22 Rich. II.—1 Hen. IV.; 3–4 of Henry the Fourth; 1–2, 4–5, 6–7 of Henry the Fifth; 23–4, 25–6, 31–2, 35–6 of Henry the Sixth; 1–2, 5–6, 13–14 of Edward the Fourth; 1–2 and 2–3 of Richard the Third; 1–2, 7–8, 9–10, 20–1 of Henry the Seventh; 2–3, 6–7, 11–12, 15–16 of Henry the Eighth, with fragmentary Rolls of 18–19, 19–20, 20–1, 22–3, 27–8, 31–2, 35–6 of the same reign; 2–3, 3–4, 4–5, 5–6 of Edward the Sixth, and 6 Edw. VI.—Mary; and 1 & 2–2 & 3, 2 & 3–3 & 4, 3 & 4–4 & 5 and 4 & 5 Philip and Mary.

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(9.) 8 & 23 Edward III.—Husting Court Rolls (fragmentary) of the 8th and 23rd years of Edward the Third.

(10.) 47 Edward III. to 24 Henry VII.—Trinity Gild Rolls; viz., rolls of the yearly accounts of the scabins of the Gild Merchant of the Holy Trinity of Lenn, of the years 47–8 of Edward the Third; 8–9, 10–11, 13–14, of Richard the Second; 7–8 of Henry the Fourth; 4–5, 9–10 of Henry the Fifth, and 10 Henry V.—1 Henry VI; 3–4, 16–17, 17–18, 19–20, and 22–3 of Henry the Sixth; 3–4, 7–8, 8–9, 14–15, 17–18, 18–19 of Edward the Fourth; 1 Edward the Fifth; and 8–9, 18–19 and 23, of Henry the Seventh. Made up from the Feast of the Holy Trinity of one year to the same Feast in the next following year, these accounts show that the Gild derived a considerable yearly revenue from the sale of mill-stones, grave-stones, paving-stones and marble, in which commodity it seems to have had a monopoly, and a still more important source of income from fees for admissions,—women being admitted to the *spiritual benefits* of the gild for the same heavy payment, by which men became participators in all the benefits of the association. What is here said of the terms and conditions, under which women were admitted to the Gild should not escape the reader's attention, nor be allowed to pass from his mind, as it differs materially from what was written on the same subject by the late Mr. Harrod, F.S.A., some of whose translated extracts from these records represent that women entered the Gild, in order to share in the *special benefits* of the society. For instance, according to Mr. Harrod (*vide* his published "Report on the Deeds and Records of the Borough of King's Lynn," 1874), Margaret Kyrketon in the 10th year of Henry the Fifth paid a hundred shillings "for admission to special benefits of the Guild after her death," the Latin word there rendered "special" being a contracted form of "spiritualibus."

— Also, to be mentioned with these Rolls of Accounts, (*a.*) The Series of Congregation Rolls, viz., rolls of records of acts and proceedings at the assemblies of the Alderman and brethren of the Trinity Gild (8 Ric. II. to 12 Henry VI.), and (*b*) a Terrier, made in 4 Edw. IV. of the Lands and Tenements of the Gild of the Holy Trinity of Bishop's Lenn, lying in South Lenn.

(11.) 8–22 Richard II.—Enrolments of Wills (Testaments and Last Wills).

(12.) 9 Richard II. to 10 Henry V.—Assembly or Congregation Rolls (otherwise styled Guild Hall Rolls) of the following years, (*a*) 9–10 Richard II.; (*b*) 1, 2, 3 and 4 Henry IV.; (*c*) 13 Henry IV.–1 Henry V.; and (*d*) 6–7, 8–9 and 9–10 Henry V. It should be observed that three of these four rolls pertain to the period, beginning in 19 Richard II., when the Congregation records of the Red Register cease, and closing with 2 Henry VI., the opening year of the Assembly (or Congregation) Book No. I.; during the larger part of which period, if not during the whole of it, the Acts and Proceedings of Assemblies were entered for permanent record on the membranes of Hall Rolls, instead of the leaves of Hall Registers.

(13.) 11 Richard II. to 39 Henry VI.—Corpus Christi Gild Rolls; viz., Rolls of the yearly accounts of the successive treasurers of the Corpus Christi Gild, of the following years 11–12, 15–16, of Richard the Second; 1–2, 2–3, 3–4, 4–5, 5–6, 6–7, 8–9, 10–11, 11–12 of Henry the Fourth, and 13 Hen. IV., 1 Hen. V.; and 3–4, 5–6, 6–7, 7–8, 8–9, 9–10, 10–11, 12–13, 16–17, 17–18, 18–19, 19–20, 20–1, 22–3, 24–5, 25–6, 29–30, 31–2, 37–8, 38–9 Henry VI.

(14.) 15 Richard II.—Rental of the rents pertaining to the community of the town of Bishop's Lenn.

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MSS. OF THE BOROUGH OF KING'S LYNN.

(15.) 17 September, 4 Henry VI.—Rental of all the rents, tenements and lands of the community of Lenn, renewed on the seventeenth day of September of 4 Henry VI. and 1425 A.D., John Parmonter being then the Mayor of Lenn.

(16.) 4–5 Henry VI.—Rental of all the rents, tenements and lands of the community of Lenne.

(17.) Philip and Mary.—Tolbooth Roll (paper) headed, Thys Booke Gatheryd in the year of Raaff Downs Mayor anno 1557 by me Henry Hylle.

(18.) Elizabeth.—Four Petty Tolls' Rolls (paper), of moneys taken by way of the same tolls.

(19.) 13 Elizabeth to 1751 A.D.—Nine Rolls of enrolments of deeds, of the following terms of years, 13 Eliz. to 1 James I, 1640–48, 1654–62, 1671–91, 1689–1702, 1702–8, 1710–11, 1717–29, 1730–33, 1733–35, and 1735–40. Together with a Book of enrolments of deeds of 1740–51, A.D.

(20.) 22–3 Elizabeth.—Roll of the Common Staith Quay Tolls and Rents; headed, "Thaccompt of Michaell Revitt for the Profettes rising of the Comen Stath Yarde . . . the warehouses thereto belonginge within the same, from the yeldinge up of his accompte made the xixth of February in the xxii yere of the reigne of our Sovereigne Lady Quene Elizabeth until the first daie of the moneth of March in the xxiii yere of her said Majesties reigne, made and yelded up att the Hall holden the Tenth daie of the said month of March in the second yere of Mr. Franncis Shaxton his mayoralty, as followeth."

(21.) 1597 A.D.—Roll of the names of the Mayors of Lynn, from John Cotshall mayor of the said town in 1352. With historical notes and memoranda.

(22.) 20 April, 1604. — Petty Tolls Roll, indented and headed, "This Roll indented made the xxth daie of Aprill 1604, and in the yeres of the raigne of our Sovereign Lord James &c. . . . . of all such tolls commonly called pettie . . . ., belonging to the Maior and burgesses of the said towne of Lenne as they have appointed Clement Pilgram one of their watter-bailiffes of the said Town to collect gather take and receive for upon or in respect of any such goodes wares or merchandizes as shalbe conveied or carried either by water or by land from or out of the said towne or the liberties thereof, apperteyninge or belonginge to any foriner or stranger, or any person or persons not being fre of any citie burgh or towne priviledged from payinge of tolls within the said towne of Lenne, as hereafter followeth."

(23)—February 1656.—Petty Tolls' Roll, headed. "A Roll of all . . . . Tolls belonging to the Mayor and burgesses of the said burrough, commonly called pettie tolls to be collected and gathered for and in respect of all such goods wares and merchandizes as be hereafter mencioned after the rates hereunder written and set downe, and soe for any greater or lesser quantityes proportions or summes which shalbe conveied or carried by water or by land to any place or places out of the said burrough or the libertyes thereof (except into parts beyond the sea), belonging to any forreigner or other person or persons not being priviledged from paying of tolls within the said borrough or the libertyes thereof, transcribed and copied out this day of February in the yeare of our Lord 1656, as hereafter followeth."

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(*A*). *Extracts from The Chamberlains' Accounts.*

Chamberlains' Accounts from 1 *Edward III to* 4 *&* 5 *Philip and Mary.*

1–2 Edward III.—Account of Roger de Buttele, Thomas de Melcheburne, William de Hautboys and Richard de Jakesham, chamberlains of the town of Lenn of all receipts and expenses, from Michaelmas-day 1 Edw. III. to the same feast next following. The account of expenses comprising the following items,—

viii*s.* viii*d.* given to Richard de Oxwikes for enrolling the charter before the king,

iii*s.* iiii*d.* given for the expenses of Thomas the clerk at the feast of St. Michael when he sought the Bish[op] by the advice of Walter of Norwich,

xxi*d.* given for a hakenye for the use of the same Thomas at that time,

iiii*li.* x*s.* given for the expenses of John de Swerdeston, Thomas de Melchburne, Thomas the clerk and their associates at York at the feast of St. Michael for furthering the business with the bishop.

iii*s.* ii*d.* given to Richard de Oxwikes for judicial briefs for the Prior of Spaldinges,

xl*s.* given to Adam de Fincham for having counsel about the bishop's business,

lxxviii*s.* given for expenses to John de Swerdeston and Roger de Buttele towards the parliament at York.

5–6 Edward III.—Account of Robert Erl, Thomas Rytwis, Thomas Baunne and Richard de Wotton, chamberlains from Michaelmas, 5 Edward VI. to the same feast next following. The account of expenses comprising the following items,—

viii*s.* given for the sealing of the new statute,

ii*s.* given to three messengers of the king,

ii*s.* given to two messengers of the king,

iii*s.* vi*d.* given to Thomas the clerk for his expenses towards Norwic,

xliii*s.* given for the expenses of Roger de Bristole and Thomas the clerk towards Oxford and remaining there,

xxxiii*s.* vi*d.* concerning the expenses of the Maior of Oxford, Richard de Cary and other burgesses of Oxford, when they answered to the interrogations of the same persons,

vi*s.* viii*d.* given to the chamberlain of the court, when the letter was sealed,

lxix*s.* given for the expenses of John de Walsingham and Thomas the clerk,

xx*s.* given for the expenses of Thomas the clerk at London for the staple of wools,

xl*s.* for the expenses of Thomas the clerk and his associates at London to the last parliament,

xx*s.* given for bread sent to Isabell the old Queen when she came from Walsingham,

iii*li.* iii*s.* iiii*d.* given for a cask of wine sent to the same queen,

xl*s.* given for oats sent to the same queen,

v*s.* given for bread sent to the bishop at another time,

viii*s.* given for wine sent to the same bishop,

iiii*s.* given for six herouns sent to the same bishop,

xl*s.* given to the clerk of Oxford for having their statutes,

vi*s.* viii*d.* to the clerk writing the said statutes,

xx*s.* to Richard de Cary and his associate for the counsel of the same clerk.

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7–8 Edward III.—Account of Robert Braunch, Hamon de Cokeford, Robert de Dokkynge and John de Manegrene, chamberlains, &c. The account of expenses comprising the following items,—

xxv*d.* given for carrying tribute to the queen to Rising',
xiii*s.* iiii*d.* given to the bishop's steward, for his offering,
xviii*d.* for a pair of gloves to the same steward,
xxi*d.* given for carriage of sand towards the east gates and for a hakeney to Risinge,
v*s.* iiii*d.* given for the expense of the removal of the 'Holygostes,'
iii*s.* iiii*d.* given for the expenses of the bailiffs of the Tolboth,
vi*li.* xv*s.* ix*d.* for the expenses of William de Brinton and Thomas the clerk to the parliament at York and for asserting liberty there,
xi*li.* ii*s.* iiii*d.* given for expenses at St. Botham by the hands of the chamberlains at the day of love between the men of Lyncoln and Lenn.
lxvi*s.* viii*d.* given for a barell of Sturgeoun sent to the Bishop of Norwyces,
vi*li.* ii*d.* given for flesh and swans sent to the Queen.

8–9 Edward III.—Account of Laurence de Fordham, Reginald de Sisterne, John de Contessale and William de Hoo, chamberlains, &c. The account of expenses comprising the following items,—

xxxvi*s.* vi*d.* given for the expenses of the king and queen when they crossed over the water, by the hands of Laurence de Fordham and Reginald de Sisterne,
xl*s.* given "pro Robis serviencium,"
v*s.* v*d.* given for the expenses of the serjeants coming to consult with the community for their affairs,
iii*s.* viii*d.* for the expenses of the servants of the Sir John Stormyn,
iii*s.* iiii*d.* given to the clerk of John Shardelowe,
ix*d.* for a valet going for John de Rokele,
xii*d.* given for a letter sent to Ely,
vi*d.* given for ship-passage towards the king's ships,
x*d.* given "pro cust' lane apud Le Tolbothe,"
lv*li.* given for the acquisition of the new charter and a duplicate of the same, by the hands of Geoffrey de Mumbi and Thomas the clerk, besides xx*li.* of the king's fine, and c*s.* for things sent to the Lord Robert de Ufford.

Also, the following items of tribute and offerings grouped together under "Exennie":—

lviii*s.* given for flesh-meats sent to Queen Isabel,
xx*s.* for lampreys sent to the same Queen,
viii*s.* x*d.* given for wine sent to the same Queen,
xviii*d.* given for wine sent to the sheriff of Cantebrigge,
ii*s.* vi*d.* for bread sent to the bishop,
vii*d.* ob., for bread sent to the Lord de Multone,
xii*d.* ob., for bread sent to the Lord de Morele,
ii*s.* v*d.* for a quarter of oats sent to the same lord,
iiii*s.* viii*d.* for two quarters of oats sent to the Lord Hugh de Audele.
viii*s.* for wine sent to the same lord and also to Robert de Morele,
ii*s.* xi*d.* given for a quarter of oats sent to the Lord Robert de Morele at another time,
vi*s.* given for wine sent to the same Robert and to the Lord de Wake,
iij*s.* for wine sent to the bishop,

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viis. viiid. given to Adam de Norwyc for wine sent on the day of the Lord's Nativity,
vs. given for Rhine wine sent to the bishop,
xxid. for bread sent to Roger de Kerdesstone and his associates,
vid. ob. for bread sent to Constantine de Mortuomari,
iis. vid. given for bread sent to the bishop,
ixs. iiijd. for wine sent to the same bishop,
ls. vid. for flesh-meats sent to the same bishop,
xxxs. for lampreys sent to the same bishop,
Also under the marginal heading "Expense Navium"—

iiiili. xs. given to Geoffrey Wreke for the freight of a ship called *The Caterine*,
xxivli. vis. given to Roger Fanchild and Roger Catour, for the wages of mariners in Lord King's service,
vs. given for oars to the said ship,
xili. given to Roger Fayrchild for his costs on either passage,
xviiid. given to Philip Wych for a message to Lincoln,
xxiiis. id. given to Henry Bataylle for ale and other expenses in the ship of Roger de Buttele,
lviis. for xii quarters of wheat, for the expenses of mariners in two ships for the King's use.

9-10 Edward III.—Account of Hugh Botele, Walter de Ixworth, William de Grentham and Roger Folcard, chamberlains, &c. The account of expenses comprising the following items,—

viiili. xis. viiid. given to John de Swerdeston and William de Secheford for their costs to parliament,
ixs. given for lampreys and sturjoun for the use of the Sheriff of Norfolk,
vid. given "pro pulsatione libertatis,"
xd. ob. for guard kept on the arms in the Guild Hall,
vs. given for bread sent to the Lord King,
iiiili. xs. given for a pipe of Rhine wine sent to the same King,
xxd. ob., given for the making and carriage of the same pipe,
viili. vis. viiid. given for two barells of sturjoun sent to the same King,
viili. vis. viiid. for two barells of Sturjoun sent to the Treasurer and William de Monte Acuto.

10-11 Edward III.—Account of Simon de Veteringe, Robert Robat, John de Wesenham, and Simon de Snoringge, chamberlains, &c. The account of expenses comprising the following items,—

ixli. vis. viiid. given for two gerfalks bought for the use of the Lord King,
viis. vid. given "pro jessis caprouns and turrez" to the same gerfalke,
xxxviiis given to Andrew de Biri for keeping of same gerfalke,
xiiis. iiiid. given to Sir Edmund de Lenn for assistance in court throughout that year,
xxiid. given for the expenses of the Justices in the Gild-Hall,
viiili. iiis. ixd. given for the expenses of Roger de Buttele, Geoffrey Drewe, and Thomas the clerk to London to the Lord King's council,
xvs. vid. given for the cleansing of Pufflet and the other watergates,
iiiis. iiiid. given to two "currours" towards London,
iis. given to Thomas Wulsi for asserting liberty in the Steward's Hall,
iiis. viiid. given to the Clerk of the Lord King's ships,
iiiis. given to the Lord King's "heraud and trumpour,"

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xx*s.* given to Olaver Justice "del Tylbastoun" at his first coming,
xx*s.* given to John de Harsik and his associate,
xx*s.* given to Costantine de Mortuomari their associate,
xx*s.* given to Adam de Fincham their associate,
ix*s.* iiii*d.* given to the clerk of the same Justices,
xi*s.* iii*d.* given for bread and wine sent to the same Justices for this time,
xii*s.* given for gloves for the same,
iii*s.* iiii*d.* given to Robert Cokes, the clerk of the sheriff.

Also, under the marginal heading of "Expense Navium," these items,—

xv*li.* xvi*s.* i*d.*, given for wages of men in three ships in the Lord King's service, *viz.*, *The Cog Johan* vi*li.* xi*s.* x*d.*, *The Seintemaricog* iiii*li.* ix*s.* iiii*d.*, *The Katerine* iiii*li.* xv*s.*
lxvi*li.* xi*s.* given for wages of men in seven ships in the King's service, viz., *The Katerine* viii*li.* xii*s.*, *The Rose* vii*li.* vii*s.*, *The Seintemaricog* ix*li.* xvi*s.*, *The Katerine*, xi*li.* xi*s.*, *The Margarete* ix*li.* xvi*s.*, *The Welifar'* ix*li.* xv*s.*, *The Cog Johan* ix*li.* xvi*s.*,
xvi*li.* given "pro armis emptis ad Galliam,"
xxxiiii*s.* given to Paul Underclif for arms,
xxxv*s.* given for the reparation of old arms.

Also, these items for the strengthening of the walls of the town and the paving of the market-place:—

li*i.* iiii*s.* vii*d.* given "pro clayis, gleyo, et pilis pro defenso circa muros communitatis,
lxv*s.* x*d.* given for pavement made in the common market, by the hands of John de Swerdeston, mayor.

11–12 Edward III. — Account of Robert de Wuttone, Simon de Roughtone, William de Swantone, and Stephen de Kentes, chamberlains, &c.:—

The account of expenses comprising the following items,—

xiii*s.* iiii*d.* given to the keepers of the Lord King's falcoun,
iii*s.* given to the Lord King's servants,
v*s.* ii*d.* given for passing a certain minstrel of Sir William de Monte Acuto towards parts beyond sea,
iiii*s.* given to Benedict de Byri for keeping the gerfalcoun,
xl*s.* given to Thomas de Melcheburne for his expenses to the king's parliament at Notingham,
liii*s.* v*d.* given to the same Thomas for the same purpose for two turns at Westminster,
x*li.* given to Thomas de Melcheburne, for his ship called *The Magdalene.*
xxiiii*s.* given "pro lupis aquaticis et anguillis missis regine veteri,"
liii*li.* viii*s.* given for the expenses of ten ships, viz., *The Katerine Major*, *The Trinitez*, *The Katerine Minor*, *The Gracedu*, *The Margarete*, *The Blithe*, *The Seintemaricog*, *The Welifar'*, *The Rose*, and *The Magdaleyne.*
ix*li.* xviii*s.* given to three ships found by the community in the service of the Lord King, going towards Gernemuth at the feast of St. Mark the Evangelist, viz., to John de Reppe constable of the ship called *The Katerine Major* lxxvii*s.* for the sustenance of twenty men in the said ship for fourteen days; to Andrew Kynd constable of the ship called *The Welifar* for sixteen men in the said ship for the said time lxiii*s.*; and to William de Secheford constable of the ship called *The*

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Katerine Mirror, for fourteen men in the same ship, for the same time lvi*s.*

12–13 Edward III.—Account of John Richwys, Thomas Belleyetere, William de Santone, and Henry de Guntone, chamberlains, &c.: The sum accounted for being cccxii*li.* iii*s.* ii*d.* ob. q^{a}, and the account of expenses comprising the following items,—

xx*s.* given to Richard de Castel the King's clerk, coming on the King's business,

x*s.* given to John Payn the King's serjeant, being with the same Richard,

vi*s.* viii*d.* given to two esquires being with the same persons,

ii*s.* given to their valet,

ii*s.* vi*d.* given to four valets of the same persons,

ix*s.* viii*d.* given to the esquires and valets of Thomas de Drayton, Admiral at Lenn,

ii*s.* viii*d.* given to a valet carrying the Mayor's letter to the Admiral to Gipewyc,

iiii*s.* given to Walter Kellock and William Baunne, going with the Mayor's letter to Hunstaunton to the masters and constables of five ships, prepared for war in the King's service, to appear before the Mayor and community to answer the men of Seland concerning divers things taken from them by the mariners of the same five ships,

xx*s.* i*d.* given for the expenses of Henry de Gunton and Robert Robat going to Orwelle for furthering the business of the community with Thomas de Drayton, Admiral,

ii*s.* given to the minstrels of Sir Robert de Morlee,

xl*s.* given for a falcons, given to Sir Walter de Cheshunte the Queen Isabell's steward,

iii*s.* iiii*d.* given to a serjeant-at-mace of the Lord King.

Also, amongst the notable matters of this roll, the "Expense Navium" and the "Expense Roberti de Morle Admirall."

13–14 Edward III.—Account of Thomas de Swerdeston, William de Utterynge, William de Snorynge and William Erl, chamberlains, &c.: the account of expenses comprising the following items,—

xx*s.* given to Sir William de Playford,

vi*s.* viii*d.* given to Richard atte Rode the Lord King's Serjeant-at-arms,

iii*s.* vi*d.* for stones bought for making the pavement in the common way to the "communem latrinam in Brigegate"

lxxi*s.* paid for a falcon given to Sir Walter de Chesthunt,

ii*s.* xi*d.* paid "pro gentaculo" of the Sheriff of Norfolk and Sir John de Wilton at Richard de Wotton's tavern,

xxxiii*s.* iiii*d.* delivered to Richard de Skyron for his expenses to London upon the Lord King's arrival from parts beyond sea,

ci*s.* ix*d.* given to John de Mongomeri "et familie suo et familie domini Willelmi de Cusaunce,"

lii*s.* ii*d.* for the expences of the same persons,

lx*s.* given to Geoffrey de Bouresyard, for his assistance in reforming the peace between the Lady the Queen and the community of the town,

iii*s.* given for the carriage of wine and turbot sent to the Queen.

17–18 Edward III.—Account of Philip Wych, John de Conteshal', Thomas de Fransham and William de Swanton, chamberlains, &c.: the account of expenses comprising the following items,—

ix*li.* xviii*s.* x*d.* paid for flesh-meats sent to the Lady Isabell the Queen,

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iiii*li.* xvi*s.* i*d.* in offerings sent to the servants of the Lord King at Thorndenes, at the first coming of the Lord King to Rysyng.

c*s.* "pro duobus salc'" sent to the King at the same time,

vi*s.* viii*d.* given to John de Windesone the King's doorkeeper at the same time,

iii*s.* vii*d.* given for the charges of the Lord King's palfrey at the same time,

iii*s.* given for gloves with the Lord King's falcon at the same time,

iii*d.* for a horse taken by Mertum messenger to Rysing, at the same time,

xii*d.* given to the King's messenger, John Disarchis,

xviii*d.* given to the King's messenger, Thomas de Rouston,

iii*d.* given to a runner of the Lord King,

xii*d.* given to the Earl of Suffolk's minstrel,

xii*d.* given to the Lord de Bardolf's minstrel,

ii*s.* vi*d.* given to divers of the King's runners at divers times,

xx*d.* given to two of the King's messengers,

iii*s.* iiii*d.* given for a letter carried to Sir John de Orby.

20–21 Edward III.—Account of William Erl, Thomas Cook, Adam de Refham and John de Denby, chamberlains &c.: the account of expenses (in all, cccccxxviii*li.* xviii*s.* iiii*d.* ob.) comprising, together with numerous gifts to messengers and minstrels of the King, the particulars of xvii*li.* v*s.* v*d.* spent on offerings sent to divers persons, viz., the Earl of Lancaster, Lord le Wake, Sir John le Grey, the Sheriff of Norfolk, the Lord le Scales, John de Thouresby, the Queen's maid, Sir John Howard, Thomas de Branbourgh, Richard de Beketon, Sir Robert de Causton, the Sheriff of Norfolk, the Lady Howard, John de Wesenham, John Syward, the Bishop of Durham, Thomas de Lexham and John Cheuelee.

25–26 Edward III.—Account of John de Chierford, Nicholas Coke, John de Fyncham, and Stephen Fot, chamberlains, &c.:—The account of expenses comprising the following items,—ix*li.* xii*s.* ix*d.* paid for a pipe of wine and a barrel of Stourgon, sent to Lady Isabell Queen of England, and for money given to John le Butelier and for the carriage of same offerings to Rysingge,

ii*s.* xi*d.* paid for wine sent to Jon de Berneye and Roger Vyrly, Justices,

xii*s.* given to John de Wyndesonere and other men of the King's servants when the he was at Rysyngge,

27–28 Edward III.—Account of Thomas de Botelesham, John de Bekeswell, Nicholas de Somersham and John de Ridham, chamberlains: the account of expenses (in all, clxxvi*li.* xv*s.* 1*d.*) comprising the following items,—

xvii*li.* xv*s.* x*d.* expended by the hands of Nicholas de Somersham chamberlain, for the expenses of the Mayor and other honest men of Lenn toward Norwic, and there, and returning, and for offerings sent to Sir William de Sharushille and his associates, and for money given to divers men of the law for their counsel,

xxxvi*s.* vii*d.* given to divers of the King's messengers and runners, and divers heralds and minstrels of the Prince, the Duke of Lancaster and of divers other Lords,

xvi*d.* paid for wine sent by John Bateman and Sir Simon de Babbinglee,

v*s.* iiii*d.* paid for wine sent to Thomas de Drayton, Admiral, and divers of the King's serjeants-at-arms,

ii*s.* viii*d.* paid for wine sent to Sir . . . . de Brewes,

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xii*d.* paid for wine in the beginning of the year, when the Mayor and honest men of Lenn went to Geywod to present the Mayor to the Bishop,
v*li.* xiii*s.* iiii*d.* paid "pro vno doleo vini" sent to the Lord Bishop,
iii*li.* iii*s.* iiii*d.* paid "pro laumpers" sent to the bishop,
vi*d.* paid for "canevaces" in which the said "laumprois" were carried.

28–29 Edward III.—Account of Ancelm Braunch, Thomas de Bukworth, Rogers Wyth and Robert Bryselee, chamberlains, &c.:—

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The account of expenses (in all iiiixiiii*li.* xv*s.* vii*d.*) comprising the following items,—
xxvii*s.* paid to divers messengers, runners and minstrels,
iiii*s.* paid for wine sent to Master Thomas de Morle and Master Walter de Elvedon "coreccoribus domini Episcopi,"
v*s.* paid for wine and bread sent to Sir Robert de Morle,
ii*s.* ii*d.* paid for wine and "pikes" sent to Richard de Cornwalis the King's serjeant-at-arms, when he came for the arrest of the ship,
x*s.* paid for wine spent on the Sheriff's bailiffs, when they came for the Queen's gold,
iii*s.* vi*d.* paid for wine sent to Sir Thomas de Ufford,
xxxii*d.* paid for wine sent to Sir Simon de Babbinglee,
x*l.* paid for wine sent to the Lord Thomas of Brymbre,
iiii*li.* xvi*s.* i*d.* ob. paid for ciii*qrs.* xi*li.* of wax sent to the Lady the Queen,
v*li.* x*s.* paid for two barels of storjoun sent to the same Queen,
xvii*d.* ob. paid for carriage of the said barels and wax.
xx*s.* paid for "ii. tartelettes," given to Peroce de . . . the said Queen's servant.
iiii*li.* xiii*s.* iiii*d.*, paid to Edward de Cretinge sheriff of Norfolk, for the Queen Phelippa's gold, pertaining to her from the fines of the men of Lenn, made before William de Sharushulle and his associates, Justices of the King's Bench, at Norwich, for certain excesses, extortions and transgressions.

29–30 Edward III.—Account of Nicholas de Swerdestone, John de Brunham, Edmund de Brestone and Andrew Taverner, chamberlains &c., the account of the expenses (in all, cclxvi*li.* xi*s.* i ob.) comprising the following items,—
iii*s.* iiii*d.* paid for wine, sent to Sir Robert de Morlee, junior,
xx*li.* sent to Phelippa Queen of England,
x*li.* sent to her son,
v*li.* vi*s.* paid for a piece of wax sent to the said Queen,
ii*d.* ob. paid for the carriage of the same,
liii*s.* iiii*d.* paid to William de Swanton mayor for his horse, given to the said Queen,
xl*s.* given to the said Queen's steward,
iii*s.* iiii*d.* given to the said Queen's messenger,
ii*s.* given for a sword, bought and given to a certain minstrel of the same Queen, viz. to a certain herald,
vii*li.* xi*s.* iiii*d.* paid for a piece of work and a barel of stourjoun sent to Cicel' de Wesenham.

30–31 Edward III.—Account of Geoffrey Attetolboth, Thomas Curzon, William de Wesenham, and John Bolla Lyste, chamberlains

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&c., the account of the expenses (in all, iiiixii*li.* xix*d.*) comprising the following items,—
v*li.* x*s.* paid for two barels of stourgoun sent to the Lady Isabel, Queen of England.

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vi*li.* paid for herrings sent to the same Queen,
ix*s.* paid for bread and "pikes" sent to Robert de Morlee,
x*s.* ix*d.* paid for wine, sent to Sir Robert de Causton, Sir John de Drewes, Sir John de Wilton, and John de Wesenham,
viii*s.* paid for wine sent severally to Sir John de Camoys knt., John de Coluill, John de Berneye and William de Dalton, the King's Justices.

39–40 Edward III.—Account of Geoffrey de Fransham, Richard de Henton, John de Nenteneye and Walter de Dunton, chamberlains &c.: the account of expenses (in all clxv*li.* xviii*s.* iii*d.* ob.) comprising the following items,—

iii*li.* v*s.* iii*d.* ob. paid for a pipe of Rhine wine and its carriage to the bishop,
iii*li.* x*s.* paid for a pipe of wine sent to the Duke of Lancaster,
xli*s.* paid for herouns sent to the Duke of Lancaster,
iiii*li.* iii*s.* vi*d.* paid for oats sent to the Duke of Lancaster.

43–44 Edward III.— Account (without the first membrane, and otherwise imperfect) of . . . . chamberlains: the account of expenses comprising the following payments to minstrels and runners (cursores),—

x*s.* given to the king's minstrels,
iii*s.* iiii*d.* given to the minstrels of the Earl of Hereford,
xii*d.* given to the Earl of Warwyk's minstrels,
xx*s.* given to Lord Spencer's minstrels,
iii*s.* iiii*d.* given to the Earl of Oxford's minstrels,
iii*s.* iiii*d.* given to two minstrels,
xx*d.* given to minstrels of the King of Scotland,
vi*s.* viii*d.* given to minstrels of the Earl of Suffolk,
iiii*s.* given to the minstrels of Lord Morlee,
iiii*s.* viii*d.* given to the Duke of Lancaster's minstrels,
xii*d.* given to the Earl of Suffolk's 'wafrer,'
iii*s.* iiii*d.* given to two 'gyterners' of the same earl,
xii*d.* given to two 'waferers,'
xxvi*s.* viii*d.* given "diuersis menestrallis et cursoribus per diversas vices."

44–45 Edward III.—Account of Henry de Cove, Roger Paxman, Thomas de Conteshale and Edmund Belleyetere, chamberlains, &c.: The account of expenses (in all, clxiii*li.* xi*s.* ii*d.*) comprising the following items,—

iiii*s.* vi*d.* paid for wine sent to Sir Ralph Fereres,
xxxix*s.* viii*d.* paid for wine, botores, herouns and oats sent to the Lord Nevill, Admiral.
vi*s.* vi*d.* for wine and other charges upon Thomas Mortimer, the esquire of the Lord Bishop,
iii*s.* ii*d.* ob. paid for wine sent to the Lady de Morle, with similar gifts to divers other personages,

Also, the following gifts "Menestrallis et Cursoribus,"
ix*s.* x*d.* given to seven "Waffreres" at seven times,
iii*s.* iii*d.* given to Balsham and his associates, minstrels of the Earl of Suffolk,
ii*s.* given to two minstrels of Sir Robert de Morle,
ii*s.* given to two minstrels of Sir William de Hoc,
ii*s.* given to two minstrels of Sir Walter Manne,
ii*s.* given to the minstrels of Sir Robert Mortimer,
ii*s.* viii*d.* given to four other minstrels at two times,
xx*d.* given "menestrallis et tripudiatoribus in Festo Natal' Dni,"

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ii*s.* given to minstrels on the first day of May,
iii*s.* given to a player (ludenti) on the same day,
iiii*s.* viii*d.* given "tribus thitheratoribus," at three times,
iii*s.* iiii*d.* given to three minstrels, at three times,
ii*s.* given to a "gitener" of Sir Robert de Morle,
xii*d.* given to a minstrel,
xx*d.* given to a King's messenger,
iii*s.* iii*d.* given to a messenger who brought the King's brief for proclaiming peace between us and Flanders,
iii*s.* iiii*d.* given to the Chancellor's clerk, who brought a brief for arresting the men of Flanders,
xx*d.* given to the messenger who brought briefs "ad dños terr' pro parliamento,"
v*s.* given to five runners (cursoribus) of the Lord King, at five times.

45–46 Edward III.—Account of the same four Chamberlains of the receipt of money of the Gild of the Town of Linn, "videlicet de medietate catalli cujuslibet Gilde," granted by the community of the said Town in the Gildhall, for making ditches and amending the defects about the said town.

46–47 Edward III.—Account of Hugh de Elyngham, Adam Clerk, William de Holmeton and John Kempe, chamberlains:—The account of expenses comprising the following items,—

cxii*s.* paid for a piece of wax weighing ciii*qrs.* xiii*lb.* sent to the bishop of Norwyc,
iiii*li.* x*s.* paid for a pipe of red wine sent to the same bishop,
ix*s.* vi*d.* paid for eight flagons of wine sent to Sir Robert Howard at the time of the agreement made between the Community and James de Marham,
vii*s.* iiii*d.* paid for eight flagons of wine, white and red, sent to the Lord Duke of Brittany,
xvi*d.* paid for wine and spices, spent on Geoffrey de Folcham the Duke of Lancaster's steward,
xviii*d.* spent in sweet and red wine on Edmund Gurney,
x*d.* ob. spent in wine on the Steward of Lenn in the presence of the Mayor,
viii*d.* in wine spent on the same Steward and Edmund Gurney,
vii*d.* for one potel (uno potello) spent on Brundale,
vi*d.* "in uno potell' vini" spent on Thomas de Fakenham, the King's serjeant-at-arms.
Also, a great number of particulars of the expenditure of cclviii*li.* xi*s.* vi*d.* on the barge.

47–48 Edward III.—Account of John Blower, John Tatleshale, Thomas Drewe and Robert Kent, chamberlains &c.: the moneys received amounting to ccxlix*li.* v*s.* 1*d.* ob. The account of expenses, besides the ordinary disbursements and such gifts and offerings as are noticed in the previous accounts, gives particulars of expenditure "pro libertate manutenenda ac compoto vini dulcis," "de preparatu unius navis supra mare ex mandato Regis," and of further cost of the barge, amounting to xlvi*li.* xv*s.* iiii*d.*

48–49 Edward III.—Account of Roger Paxman, John Waryn, Walter Dunton and Ralph Colkirke, chamberlains &c.: the moneys received amounting to ccxxxiii*li.* vii*s.* v*d.* q^{a}., while the account of expenses comprises the following particulars of charges, arising from a meeting of persons banded together against the peace,

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xii*d.* paid to the bearer of the Mayor's letter to Edmund Gurney, for his counsel respecting the persons imprisoned for the disturbance of the peace,

ii*s.* ii*d.* paid for wine to be expended in the presence of the said Edmund for the said cause,

v*s.* iiii*d.* paid for wine spent at another time in the presence of the said Edmund and other chief men of the town, for the aforesaid cause,

iii*s.* viii*d.* paid at another time for wine on the same abovesaid account,

v*s.* viii*d.* paid for wine spent before William Berhard the Lord Prince's steward and other chief men of the town of Lenn on the day on which the same meeting (eadem conventicula) at the Friars Carmelites began to assemble,

vi*s.* viii*d.* paid to John Olkam for his counsel on the aforesaid occasion,

xx*s.* paid to Edmund Gurney for making a session [?] for delivering the said prisoners (pro cession' faciend' ad d'cos imp'sonat' lib'and'),

iii*s.* iiii*d.* paid and given to John Sewale clerk of the Justices of the Peace on the matter aforesaid.

50 Edward III. to 1 Richard II.—Account of Thomas Curson, John Penteney, William Erl, John Brandon, chamberlains, &c.: the sum of the moneys received being vcl. *li.* vi*s.* ii*d.* q^{a}. The account of expenses gives particulars of ciii*li.* ix*s.* vi*d.* q^{a}. spent on the barge and its boat; cxiii*li.* 1*d.* ob. on the costs of a certain enclosure for the defence of the town; and DCXV*li.* v*s.* v*d.* ob., under the heading "Custus causa suggestion,' Epi' Norwic coram Concil'ppoite," a division of the account that comprises two momentous items, viz. cccxviii*li.* xv*s.* iii*d.* paid as well to the Lord King "matri sue" as to divers other persons labouring for the community in respect to the Bishop's said cause; and cxvi*li.* ix*s.* ix*d.* paid for the expenses of the Mayor aldermen and other honest burgesses, going from Lenn to London on account of a certain suggestion, touching them and very many of the community of the town of Lenn, laid before the King's Council by the Bishop of Norwich, for a certain transgression done to him in the town of Lenn; the amount of the disbursements for the year being DCCCLXXIIII*li.* xv*s.* ix*d.* q^{a}—a sum exceeding the receipts of the year by CCXXIIII*li.* ix*s.* vii*d.* q^{a}. Further it is represented by the accountants, that in addition to the amount of this large deficit, the town is indebted in x*li.* to the Mayor for labour; in xl*s.* to Thomas Morton the clerk for counsel; in xx*s.* to Roger Bailly, the Serjeant of the community, for counsel; and in iiii*li.* to the Chamberlains. This account is followed by a list of the creditors of the town, beginning with The Confraternity of the Great Gild of the Holy Trinity of Lenn, to whom the Town owes clx*li.*

1–2 Richard II.—Account of John de Titleshale, Henry de Betele, John Donham and Philip With, chamberlains, &c.: the expenses, payments and allowances of the account (in all, DCCLXXII*li.* xv*s.* vii*d.* q^{a},) opening with ccxli*li.* ix*s.* vii*d.* paid as well to the brethren of the Gild of the Holy Trinity as to the other creditors of the last year.

3–4 Richard II.—Account of John Kepe, Robert Kent, Robert Pulter and Thomas Faukes, chamberlains, &c.: the sum of the payments and allowances being cccli*li.* xiiii*s.* x*d.*

5–6 Richard II.—Account of Thomas de Contesbale, John Kempe, Philip de Staunforde and John Wace, chamberlains, &c.:—the amount of the payments and allowances being cciii*li.* xv*s.* ix*d.* ob. q^{a}.

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8–9 Richard II.—Account of Edmund Belleyettere, John Lokk, John de Dunham and William de Silesden, chamberlains &c.: the payments and allowances (cccciiii*li.* xvi*s.* ix*d.*) comprising the following items,—

lxvi*s.* viii*d.* paid for a pipe of wine sent to the Bishop of Norwic', to the priory,

xxx*s.* viii*d.* ob. paid for twenty-four lampreys sent to the same bishop, with canefas for wrapping them in (pro eisdem involvendis),

xvi*d.* paid for the boat of the same bishop going towards Scotland,

xx*d.* paid for two flagons of wine, sent to Robert Cailly,

iiii*s.* paid for wine, sent to Sir Thomas Percy, Admiral towards northern parts,

xii*d.* paid for one flagon of Malvesy, sent to Sir John Freton, Archdeacon of Norfolk,

xvi*d.* paid for two flagons of wine sent to Sir William Gunthorp one of the Barons of the King's Exchequer,

xi*s.* vi*d.* paid for seventeen flagons and a quarter of wine, sent to the Bishop of Norwic "in toura sua versus Scociam,"

x*d.* given to two runners of the King's Exchequer,

vi*s.* viii*d.* given to a certain messenger of the Bishop of Norwic, coming from Scotland,

iii*s.* iiii*d.* paid, by the council's gift, to a certain herald of the Earl of Northumberland,

xx*d.* paid, by the council's gift, to a certain messenger of the Queen of England,

iii*s.* iiii*d.* given to certain players, playing an interlude on Corpus Christi day.

iii*s.* iiii*d.* paid, by the Mayor's gift, to persons playing the interlude of St. Thomas the Martyr.

12–13 Richard II.—Account of John de Wenteworthe, William de Bircham, John Bold and Alan de Wamegey, chamberlains, &c.: the

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payments and allowances (in all, cccciiiixiiii*li.* xviii*s.* v*d.* ob) comprising the following items,—

xl*s.* paid for a pipe of Gascon wine, sent "cuidam dominorum Prucie ambassiate ven' in Angliam pro diversis debatis inter Pruciam et Angliam sedandis,"

xviii*s.* iv*d.* paid for ten quarters of oats sent to the same lord,

xi*s.* viii*d.* paid to the cook of the bishop of Norwich and other servants, when the same bishop dined with our mayor, on what day the said Lord of Prucia ought to have dined with him, but came not to dinner because he left the town for London before dinner.

22 Richard II. to 1 Henry IV.—Account of John Wynteworth, Thomas atte Brygg, Thomas Fawkes and . . . . . chamberlains: receipts with the "remanet" carried over from the previous year amounting to cccclxi*li.* xiii*s.* vi*d.* ob. q^{a}., and the account of expenses, &c. comprising the following items, —

xxxv*s.* ix*d.* for the expenses of Master Ralph Selby, one of the Barons of the Exchequer in the month of January,

iiii*li.* in gifts to the servants of the Duke of Albemarle,

xx*li.* given to the same lord,

xlvi*s.* viii*d.* in the expenses of the said duke,

vi*s.* in the ferrying of the same duke over the river at two times,

xv*d.* ob. in wine spent for the same duke,

xx*li.* given to the Lord of York,

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xvi*d.* in wine for the same lord,
xiiii*li.* vi*s.* viii*d.* given to the Duchess of York,
xvi*d.* in wine for the same duchess,
xxx*s.* in wine and lampreys given to the same Lord of York,
lxvi*s.* viii*d.* given Richard, the son of the said duke,
xx*s.* given to the Treasurer of the duchess of York,
v*s.* x*d.* for the ferrying of the said duchess,
xl*d.* in wine for the same duchess,
xvi*s.* x*d.* in the expenses of Robert Bockesham and Thomas Waterden to Sestre with a letter on having speech with the Lord King,
xxvi*s.* viii*d.* in the expenses of John Brandon to London on the affairs of the town,
xl*s.* in reward to the same John Brandon.

3–4 Henry IV. — Account of Robert de Brunham, Richard Denby, John Marche and John Botesham, chamberlains, &c., together with the account for the same year of the receipts and payments of William Wintworth, Mayor of Lenn, and also the account of William Burton, Collector of Taxes. Differing from previous rolls of the series, in comprising a Mayor's account and a Tax-Collector's account, this roll points also to a change in the financial arrangements of the borough, in that each of the four chamberlains renders a separate account for the share done by himself of the work, hitherto performed conjointly by all four chamberlains. From the beginning of this change in the manner of keeping the accounts, the Chamberlains' Rolls, though no less fruitful of the evidence especially useful to the local historian, are for a considerable period far less rich in matters of general interest. The other rolls for this reign are of the years 6–7, 9–10, 11–12, 13–14, 14–15 of Henry IV.

1–2 Edward IV.—Accounts of Robert Pilly, Robert Kereby, Thomas Trust and Edmund Pepir, chamberlains, &c., the expenses, &c. of the accounts comprising the following items,—

ii*s.* viii*d.* paid for two flagons of sweet wine sent to the Lady de Scales, to Middelton,
iiii*s.* iiii*d.* paid for three flagons of red wine and one flagon of sweet wine, sent to the Lady de Scales, to Middelton,
ii*s.* ix*d.* paid for one flagon and a quart of red wine, and one flagon of sweet wine and for bread, given to the Lord de Scales when he first came to Lenn,
v*s.* ii*d.* paid for two flagons and one potell of red wine and two flagons of sweet wine, sent to the Lady de Scales, to the Friars Carmelites,
iii*s.* paid for two flagons and one quart of sweet wine, given to the Lord de Scales in the house of Arnulph Tixonye, when the same Lord rode to the King,
ii*s.* iii*d.* ob. paid for two flagons and three pyntes of red wine, sent to the Lord de Scales with certain fishes at another time,
xvi*d.* paid for a flagon of sweet wine called Tire, given to the Lord de Cromwell,
xiiii*d.* paid for a potell of Tire and a potell of wine called Renysshewyn given to the wife of John Twier,
ii*s.* paid for two flagons of red wine, spent in the house of Arnulph Tixonye by the Mayor and the most of his brethren, being there to see a certain play at the Feast of Corpus Christi,
iiii*s.* paid for four flagons of wine, given to the Lord Arundell,
xii*d.* paid for a flagon of red wine, given to Sir William Langestrother knt, Master of Carbroke,

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viii*d.* paid for the hire of two horses for John Burbage, to ride to John Fyncham, to speak with him on divers matters of business of the community,

iiii*s.* iiii*d.* paid to the king's minstrels, by way of reward,

xii*d.* paid to the minstrels of the Lord de Scales,

xx*d.* paid to the minstrels of the Lord de Cromewell,

iii*s.* iiii*d.* paid to the minstrels of the Earl of Warwic,

iiii*s.* paid to the minstrels of the Duke of Norfolk,

iiii*s.* paid to the minstrels of the Earl of Warwic,

v*s.* given by way of reward to a certain serjeant-at-arms coming on a message of the Lord King,

iii*s.* iiii*d.* given by way of reward to another of the King's messengers, bringing a letter to the Mayor for provision of wheat,

iii*s.* viii*d.* paid for wine, spent on Sir John Howard knt., in the presence of the Mayor and other honest men of the town,

iiii*d.* paid for the cleaning of the Mayor's sword,

xx*s.* given by way of reward to the Skinners of the town for their labour about the procession at the Feast of Corpus Christi, this year,

iiii*s.* given by way of reward to the sailors of this town on the same day,

vi*s.* viii*d.* paid for one quarter and half-a-quarter of cremesyne velvett for the mayor's sword, and for the making up of the same velvet.

5–6 Edward IV.—Accounts of John Tilly and Richard Colvile, chamberlains &c. the account of expenses comprising the following items,—

xx*d.* for five potells of red wine and xx*d.* for five quarts of sweet wine, spent at Geiwode, when the Mayor assumed his charge for this year,

viii*d.* for a potell of sweet wine, spent when the Mayor and divers of his brethren went round the town, to see the tenements of the community,

iii*s.* paid for three potells of red wine and three potells of sweet wine, given by the Mayor to the Lord de Scales at Middelton, at the Feast "sante Lucie Virginis,"

ii*s.* viii*d.* paid for two flagons of red wine and one flagon of sweet wine, given by the Mayor to the Lord de Cromewell at the Bole.

On the dorse of this roll appears, the Account of William Caus, Mayor of Lenn, for the second year of his mayoralty.

13–14 Edward IV.—Accounts of John Coke bocher, William Edwards, Robert Waryn, and William Coke tiler, chamberlains &c.; the accounts of expenses &c. comprising the following items,—

xxxix*s.* ii*d.* paid to John Burbage, for his expenses at London on the affairs of the community of Lenn in Hilary Term 13 Edw. IV.,

x*ls.* paid for part of the expenses of William Nicholasson and John Burbage on the affairs of the community in Hilary Term 14 Edw. IV.,

xxv*s.* paid "pro uno vase vini del Riene" given by the Mayor to Sir Robert Wyngefeld knt.

v*s.* paid for the carriage of the same wine to Harley where the said knight stays,

xvi*d.* paid for a flagon of sweet wine, sent to the Lord Duke of Suffolk, being in the hospice of 'The Bull.'

(*B*). *Extracts from the Trinity Gild Rolls.*

7–8 Henry IV.—Richard de Thorp one of the Scabins of the Gild Merchant of the Holy Trinity of Bishop's Lenn, from the Feast of the

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MSS. OF THE BOROUGH OF KING'S LYNN.

Holy Trinity 7 Henry IV. to the same Feast in the following year accounts for,

xxx*s.* received of John Foxe of Castellacre for one stone for tombs sold to him,

xxx*s.* received of Ralph de Mydelton for one stone of a like kind sold to him.

In the same account Thomas Ploket, another of the Scabins for the same year, accounts for,

xxvi*s.* viii*d.* received of the Rector of Fransham Magna for one stone for tombs (pro uno lapide pro tumulis) sold to him.

In the same roll John de Thoresby, another of the Scabins for the same year, accounts for,

xxx*s.* received of the Bailiff of Dodyngton for one stone for tombs sold to him,

xxxiii*s.* iiii*d.* received of Lauren Trussbut for two stones sold to him,

xvi*s.* viii*d.* received of Alan Baret for one stone sold to him,

xix*s.* received of William Baret for one stone sold to him,

xx*s.* received of a certain chaplain of Ely for one stone sold to him,

xix*s.* iiii*d.* received of Nicholas Say of Ely for one stone sold to him,

xix*s.* iiii*d.* received of John Horne of Rydon for one stone sold to him,

xx*s.* received of Walter Todenham for one stone sold to him.

In the same roll, Bartholomew de Cysterne, another of the four Scabins for the same year, accounts for,

xx*s.* received of Robert Salusbury for one stone for tombs sold to him.

9–10 Henry V.—Account of the four Scabins of the Gild Merchant of the Holy Trinity, from the Feast of the Holy Trinity 9 Henry V. to the same Feast in the following year, wherein they account for the following moneys received for admissions of brethren and sisters into the Gild.

c*s.* received of Sir de la Ware for his entrance,

c*s.* received of John Jemynglond clerk, Rector of Stukey, for his entrance,

c*s.* received of John Colyn clerk, vicar of Bynham, for his entrance,

c*s.* received of John Rudland deceased for his entrance,

c*s.* received of John Staunton for his entrance,

vi*s.* viii*d.* received of John Wesenham junior for his entrance by right of his patrimony,

vi*s.* viii*d.* received of William Swanton for his entrance in like manner,

c*s.* received of Richard Franke for his entrance,

c*s.* received of Adam Elsy for his entrance,

c*s.* received of William Cok for his entrance,

c*s.* received of John Coker for his entrance,

c*s.* received of Margaret the wife of William Hunderpound for her entrance to the spiritual benefits of the Gild (pro ingressu suo ad spiritualia beneficia gilde),

c*s.* received of Margaret Galyon for her entrance in like manner,

c*s.* received Agnes the wife of John Salesbury for her entrance in like manner,

c*s.* received of Alice Brunger for her entrance in like manner,

c*s.* received of Margaret the wife of William Cok' for her entrance in like manner,

c*s.* received of Alice the widow of Richard Leechour for her entrance in like manner,

c*s.* received of Katherine late the wiife of Adam White for her entrance in like manner.

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cs. received of Agnes widow of Hugh Crosse for her entrance in like manner,

cs. received of Beatrice May for her entrance in like manner,

cs. received of Cristina formerly the wife of John Capenet for her entrance in like manner,

cs. received of Joan Fleete for entrance in like manner.

Also the same Scabins, for the same year, account for the following disbursements under the head of 'Constructio Nove Aule,'

xxxv*li.* xv*s.* iii*d.* spent in the wages of divers masons working on the New Hall from the last Feast of the Holy Trinity to the same Feast at the revolution of the year,

xxi*li.* spent in the wages of John Turnour's workmen during the same time.

vi*li.* iiii*s.* iiii*d.* spent in stone "cum monyell" bought in divers parcels for the same work,

viii*li.* xv*s.* iiii*d.* spent in "waltyle" bought for the same work.

xiii*li.* ix*s.* ii*d.* spent in lime bought for the same work, in divers parcels,

xxxviii*s.* spent in sand bought in divers parcels for the same work,

iiii*li.* xix*s.* viii*d.* in iron bought for the same work, with the making thereof,

vi*li.* xvi*s.* x*d.* ob. spent in divers other purchases and charges, for the repair of the same hall at divers times,

xxxiii*li.* v*s.* v*d.* paid to Nicholas Rollesby of Bakton in the county of Suffolk for timber for the said hall and the building of the same hall, as is declared more fully and evidently in the separate account of Philip Franke.

This account is followed in the roll by a list of the debts (*i.e.* moneys due) to the Gild, amounting to £1,213 18*s.* 7*d.* (one thousand two hundred and thirteen pounds, eighteen shillings and seven pence) a list of the articles of plate &c. belonging to the Gild, and a statement of the Gild's stock of mill-stones and other stones.

The noteworthy list of articles of plate &c. gives these particulars,—

1. In the custody of the Alderman remains one cloth of gold (pannus deauratus) for the funerals of the gild,

2. Also there remains in the custody of the same alderman the Register of the Gild, with three bags with the rolls of the accounts of the gild,

3. Also in the custody of the same Alderman one little chest with the treasure of the Gild, of which he has the one key and the Mayor the other,

4. Also there remains there one little chest with the muniments of the gild, together with another chest bound with iron and having a hanging lock,

5. Also there remains in the custody of Nicholas Chesterton the Dean, a wand of silver for the dean's office,

6. Also there remains in the custody of William Spyre a vessel for holy water with a wine-cup of silver, weighing fifty-three ounces 'troie,'

7. Also there remains in the custody of the same William two 'salts' with two little covers of silver, weighing twenty-and-a-half ounces,

8. Also there remains in the custody of the same William one silver-gilt chalice with a cover, weighing fifty-two ounces,

9. Also there remains in the custody of Philip Franke one chalice with a cover of silver and enamelled (una pecia cum cooperculo argenti et anamelat') weighing fifty-one ounces,

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10. Also there remains in the custody of the same Philip one chalice with a cover, of silver and enamelled, weighing forty ounces and half-an-ounce,

11. Also there remains in the custody of the same Philip, one chalice with cover of silver and enamelled, weighing thirty ounces and half-an-ounce,

12. Also there remains in custody a chalice with cover of silver-gilt, weighing twenty-five ounces and half-an-ounce,

13. Also there remains in the custody of William Spyre a silver chalice with cover, weighing eighteen ounces and half-an-ounce, formerly belonging to J. Porter,

14. Also there remains in custody one banner of tapestry (doser) with two pieces of tapestry for laying on benches, powdered with owls and parrots, formerly belonging to the Dean (unum doser *ii bancalibus* bubonibus et citacis pulverizatis, quondam decani),

15. Also there remains a cup with a cover of silver gilt, weighing thirty-six ounces and half-an-ounce, in the custody of W. Waterden.

To the enquirer, who searches the list of of the several sums of money due to the gild, and compares the list of the gild's debtors with the lists, given in another entry of this report, of the Potentiores, Mediocres and Inferiores of the town, the part played by the gild in the entire community becomes manifest. Members themselves of the gild, the principal persons of the Potentiores could use the recources of the gild for their own necessities, and obtain from its exchequer the aid required by their friends and adherents. Holding office amongst the jurats they used their influence in the gild for sustaining the corporation in the career of financial extravagance that collapsed in a later year of Henry the Fourth's reign. The great Gild Merchant was the chief bank of the community, and so long as it maintained this position its Alderman was the strongest man, and the chiefs of the gild were the most potent of the Potentiores of Bishop's Lenn. Here is the list of gild's debtors at the feast of the Holy Trinity in 10 Henry IV.,

William Style, scabin of the gild,	in the gild's debt for	£119	1	10
William Spyre, scabin of the gild,	„	„	„	£5	10	3
Philp Franke, scabin of the gild	„	„	„	£8	11	3
William Waterden, scabin of the gild	„	„	„	£22	1	8½
John Warner, late scabin of the gild	„	„	„	£84	14	3
Walter Curson, late scabin of the gild	„	„	„	£36	13	5
John Parmonter	„	„	„	£6	17	2½
John Malpace	„	„	„	£14	12	10
Bartholomew Systerne	„	„	„	£5	18	1½
John Bucworth	„	„	„	£12	15	11½
John Bolt	„	„	„	£9	0	0
John Spicer	„	„	„	£4	15	0
Robert Couper	„	„	„	£1	13	4
John Woode	„	„	„	£5	0	0
William Baret	„	„	„	£1	13	4
William Shelton	„	„	„	£5	0	0
Master S. Baret	„	„	„	£2	10	0
The Sheriff of Crowmere	„	„	„	£5	0	0
John Wyntworth	„	„	„	£2	1⅓	8
Richard Brandon (for his wife)	„	„	„	£4	0	0
William Paston	„	„	„	£1	13	3
John Mannyng	„	„	„	£5	0	0
Thomas Brygge	„	„	„	£8	0	0

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The same - - - -	in the gild's debt for			£10	0	0
The same (for the debts of Thoresby, R. Waterden, R. Systerne and P. Franke) - - -	,,	,,	,,	£15	0	0
John Jeve - - - -	,,	,,	,,	£1	13	4
John Spycer (for his wife) -	,,	,,	,,	£2	10	0
John Wesenham junior - -	,,	,,	,,	£0	6	8
John Staunton - - -	,,	,,	,,	£5	0	0
Richard Franke - - -	,,	,,	,,	£2	15	0
John Jemynglond clerk, Rector of Stukey - - - -	,,	,,	,,	£5	0	0
Adam Elsy - - -	,,	,,	,,	£1	10	0
William Cok - - -	,,	,,	,,	£5	0	0
John Coker - - -	,,	,,	,,	£5	0	0
John Ridland - - -	,,	,,	,,	£2	13	4
Richard Lecchour (for his wife) -	,,	,,	,,	£5	0	0
John Copenot - - -	,,	,,	,,	£2	10	0
Hugh Crosse - - -	,,	,,	,,	£3	15	0
Joan Flete - - - -	,,	,,	,,	£5	0	0
Adam White (for his wife) -	,,	,,	,,	£5	0	0
W. Style (for M. Hounderpound) -	,,	,,	,,	£2	10	0
Margareta Galyon - - -	,,	,,	,,	£5	0	0
T. Salesbury (for Agnes his mother)	,,	,,	,,	£2	10	0
Alice Brunger - - -	,,	,,	,,	£5	0	0
W. Erle, James Fitz Nicol, J. Wesenham and S. Festwell (by one obligation) - - -	,,	,,	,,	£30	10	0
The Mayor and chamberlains (by one obligation, - - -	,,	,,	,,	£40	0	0
John Wace, T. Waterden, J. Wyntworth and W. Hunderpound (for the chapel of St. Nicholas) -	,,	,,	,,	£20	0	0
T. Brygge, J. Brunham and eight other persons for the church of St. Margaret, by one obligation -	,,	,,	,,	£20	0	0
The Mayor and chamberlains (by one obligation) - - -	,,	,,	,,	£10	0	0
The Community of Lenn - -	,,	,,	,,	£26	13	4
The Community of Lenn - -	,,	,,	,,	£300	0	0
The Community of Lenn (in respect to R. Botkesham) - -	,,	,,	,,	£60	0	0
The Community of Lenn (at the coming of King Henry IV. in the time of E. Belleyetere the Mayor)	,,	,,	,,	£58	15	10
The Community of Lenn (for William Waterden and John Curson)	,,	,,	,,	£8	0	0
John Durward - - -	,,	,,	,,	£100	0	0
Robert Botkesham - - -	,,	,,	,,	£6	11	8
T. Ploket, J. Wesenham and their associates for lead for St. Margaret's Church - - -	,,	,,	,,	£0	12	8
T. Worsted, W. Hunderpound, W. Blakeney and R. Burgeys -	,,	,,	,,	£25	0	0
The Executors of the will of Henry de Elmham, from the sale of his tenement in Damgate - -	,,	,,	,,	£1	0	0

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Philip Franke, scabin, in moneys delivered to him in respect to his office - - - -	in the Gild's debt for	£30	0	0
John Systerne, scabin, in moneys delivered to him in respect of his office - - - -	„ „ „	£8	10	0
John Systerne, scabin, in moneys delivered to him from the debt of John Malpace - - -	„ „ „	£2	13	4

The result of the account being that in addition to the numbered moneys in the Treasury, the Guild has,

	£	s.	d.
(*a.*) In the above-stated divers debts - -	1213	18	7
(*b.*) In millstones of divers sizes - - -	120	0	0
(*c.*) In gravestones and paving-stones - -	34	0	0
	£1367	18	7

10 Henry V. to 1 Henry VI.—Account of John Systerne, William Spyre, Philip Franke and William Waterden, scabins of the Gild of the Holy Trinity, of receipts and disbursements from the Feast of the Holy Trinity, 10 Henry, to the same Feast 1 Henry VI. The account of Receipts comprising:—

m[l] ccx*li.* iii*s.* viii*d.* ob. of moneys due to the Gild,

xiiii*li.* xiiii*s.* iiii*d.*, from rents of assise and income from the right of a certain ferry,

xlix*li.* iiii*s.* ix*d.*, from farm of houses,

xlix*li.* xii*s.* from sale of millstones,

xxii*li.* ii*s.* from sale of gravestones,

vii*li.* xix*s.* from cranage of merchandise,

l*li.* from admissions of Brethren and Sisters into the Gild: the items under this head comprising (1) c*s.* from William Molle for his entrance after death, (2) c*s.* from Robert Sprot for his entrance after death, (3) c*s.* from Margery Kyrketon for her entrance to the spiritual benefits of the gild after death, and (4) c*s.* from Margery Martyn for entrance in her life.

And the account of disbursements comprising the following items under the head of "Constructio nove aule,"—

xix*li.* iiii*s.* ii*d.* for builders' wages,

vi*li.* iiii*s.* vii*d.* for stones in divers parcels and for their carriage,

x*li.* xi*s.* x*d.* for "thactyle" and "waltyle,"

xxxiii*s.* iiii*d.* for lime,

xx*s.* x*d.* for sand and the carriage of the same,

ix*li.* xvii*s.* vi*d.* spent in anchors and other things of iron,

lvi*s.* viii*d.* for waynscot,

xiiii*s.* x*d.* paid to Henry Plomer "pro fundacione gutturis,"

x*li.* paid to Thomas Tyler in part payment of his agreement,

xl*s.* paid to Walter Kerver of Castelage for his labour,

ix*li.* ii*s.* x*d.* ob. paid to Peter de Rollesby carpenter and his associates beyond his mere agreement,

xxxv*s.* xi*d.* ob. in diver costs and charges,

In all,—lxxv*li.* iii*s.* vii*d.* ob.

16–17 Henry VI.—The Account of the Scabins of the Gild of the Holy Trinity of Lenn, for this year comprises the following list of jocalia, resting in the Treasury,—

(1.) Silver-gilt chalice with cover, weighing fifty-two ounces,

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(2.) Silver chalice with cover, adorned with the image of the Trinity, weighing fifty-one ounces,

(3.) Silver chalice with cover with similar image, weighing fifty-four ounces,

(4.) Silver chalice with cover, made in the shape of a bell, formerly belonging to John Wesenham, weighing twenty-eight ounces,

(5.) Silver chalice with a cover, adorned with leopards, weighing thirty-one ounces,

(6.) Silver chalice with cover, adorned with three angels, late the chattel of Adam Markaunde, weighing twenty ounces,

(7.) Silver chalice with cover, late the property of Thomas Borstede (?), weighing twenty-eight ounces, and three-quarters and half-a-quarter of an ounce,

(8.) A new silver gilt chalice with cover, bought by John Parmenter late Alderman, "que pecia vocatur le Standyng Kowpe," weighing forty-eight and . . . ounces,

(9.) A black . . . with silver-gilt cover, late belonging to Margaret Hunderpounde, weighing twenty-one ounces,

(10.) A black . . . with silver-gilt cover, late belonging to Richard Waterden, weighing eighteen ounces,

(11.) Silver vessel for holy water, weighing thirty-five ounces,

(12.) Silver wine-cup, weighing nineteen ounces and half-an-ounce,

(13.) Two silver wine-cups with covers, weighing twenty ounces and half-an-ounce,

(14.) Fourteen spoons, late belonging to Isabel Waterden, weighing twelve ounces,

(15.) The silver wand for the Dean's office at the Feast of the Holy Trinity.

(C.) *Extracts from the Roll* (8–22 *Richard II.*) *of Enrolments of Wills.*

(1.) The Will (Testament) of Margaret Frenhge, widow:—

In the name of God Amen. On the eleventh of the kalends of May, in the year of the Lord 1352, I, Margaret, formerly the wife of John Frenhge of good memory, make my testament in this manner. In the first place I commend my soul to God Almighty and my body to be buried in the church of St. Margaret of Lenn beside the body of the aforesaid John formerly my man, And I leave forty shillings of silver for the expenses of my funeral, to be done according to the disposition of my executors, And I leave forty shillings of silver for my forgotten tithes to the high altar in the church of St. Margaret aforesaid, and vi*s.* viii*d.* to the fabrick of the same church, also ii*s.* to the fabrick of the chapel of St. James of Lenn, ii*s.* to the fabrick of the chapel of St. Nicholas of Lenn, xii*d.* to the fabrick of the church of All Saints of Lenn, vi*s.* viii*d.* to the Friars of the order of St. Augustine tarrying in Lenn, and vi*s.* viii*d.* to the Friars Preachers there, five marks of silver to the Friars Minors of Lenn for celebrating one anniversary office for my soul and the soul of the aforesaid John de Frenghe formerly my man, and for souls for whom we are bound within the first year after my death, and five marks of silver to the Friars Carmelites of Suthlenn to celebrate in like manner one anniversary office, Also I leave five

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marks of silver to Friar Richard de Depedal of the order of the Carmelites to celebrate one anniversary office for my soul and the aforesaid John my man in the year next after my death if the same Friar Richard be living, Also I leave xii*d.* to the poor people of the Hospice of St. John of Lenn, also xii*d.* to the hospice of lepers of St. Mary Magdalen on the calcetum (causeway), also xii*d.* to the lepers of Herdewyke, and xii*d.* to the the lepers of Cougate. *Also I* leave to my daughter Elen and the heirs lawfully issuing of her body all that tenement with its buildings and appurtenances in the burgh of Lenn which from ancient time is called Palmerstede, lying between the tenement formerly of Alan de Lindesey on the west and the tenement of Robert le Countour on the east which extends itself with the common flete which is called Pufflet towards the south even to the common gutter of Lenn northwards, to be held of the chief Lord of the fee for the sum pertaining to the said tenement, *And if the said* Elen shall die without an heir lawfully issuing of her body, then I will that the whole of the aforesaid tenement with all its buildings and appurtenances be sold by my and her executors, a yearly rent of twenty shillings being reserved therefrom to my daughter Margaret, a nun of Blakeburgh, for all her life, to be yearly received of the said tenement for her necessities, according to the tenor of a certain writing made respecting the same to the same Margaret and signed with my seal, And I leave all the money raised from the tenement thus sold to be spent, for my soul and the soul of the aforesaid John my man and the soul of the aforesaid Elen and the souls to which we are bound, in the celebration of masses, distribution for the relief of the poor and other works of charity to be done in the town of Lenn at the discretion and disposition of my executors and the executors of the said Elen, Also I leave all that tenement with its edifices and appurtenances in the town of Lenn, opposite to the Friars of the order of St. Augustine of Lenn, which lies between the tenement of Ralph Ferrour on the north and the tenement formerly *belonging* to William Whetacre and the tenement formerly belonging to *Roger* Wyth and the tenement of the heirs of Thomas de Sadilbowe on the south, and lies along the common way called Listeresgate from the tenement formerly belonging to William de Whetacre and Simon Burel eastward even to the tenement formerly belonging to Robert de Bouden and the land formerly belonging to Godfrey Fraunces on the west, to be sold by my executors for the payment of my debts and fulfilment of this my present will, Also I leave thirteen shillings and four pence of yearly rent, to be received annually to my daughter Elen for the whole term of her life, together with the reliefs escheats homages and all other its appurtenances of all that tenement, which formerly belonging to John Merlawe and lies at Cresmarkete between the tenement of John Cokesforde on the south and the tenement formerly belonging to Robert de Bougham on the north, and extends itself along the king's common way eastward even to the common gutter westward, to whosesoever hands the aforesaid tenement with its appurtenances shall come, and I will that after the death of the aforesaid Elen the yearly rent of thirteen shillings and four pence together with the reliefs escheats homages and all its appurtenances be sold by my executors and that the money thence coming be distributed by my executors, for the soul of Walter de . . . . and for the soul of his wife Agnes and for the souls to which we are bound, in the celebration of masses and relief of the poor and other works of charity, Also I leave to my daughter Elen ten marks of silver and also one sistern and all my vessels and utensils of lead iron and wood within that tenement, formerly belonging to John Frenghe

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my man, being in Stokfishrewe, and one brass pot of four flagons, and two brass plates for melting, and a plate for friture, and a vessel for washing linen, and a grain-measure, and a hanging vessel for washing linen, And I leave forty shillings to my maid servant Beatrice, Also I leave xii*d.* to each holy nun in Blakeburgh, Also I leave xx*s.* to my daughter Margery a nun of Blakeburgh, Also I leave to my daughter Elen and her heirs and assigns one moiety of a messuage formerly belonging to my father at the chapel of St. James with all its appurtenances as it lies in length and breadth, Also I leave the residue of my goods, my debts being fully paid and the execution of this will being altogether fulfilled, to be expended for my soul and for the soul of John de Frenghe my man, and for the souls to whom we are bound, in celebrations of masses and the relief of the poor and other works of charity, at the disposition and discretion of my executors as they shall see best to hasten the same to the aid and health of my soul Moreover I appoint my executors, viz. Robert Braunche, Henry de Estderham chaplain, and Stephen Cock of Tilney and I leave xx*s.* to each of them. Dated at Lenn on the day and year abovesaid.

On the fifth of the Ides of June in the year of our Lord one thousand three hundred and fifty-two, the present will was proved before us the Venerable Father Lord William by God's grace bishop of Norwich in the liberty of the jurisdiction of the Official of the town of Lenn, and administration of all goods touching the said testament was committed to Henry de Estderham chaplain and Stephen Kokes de Tilneye the executors named in due form in the said will, Power being reserved to us to grant administration of all goods touching the same will to Robert Braunche, when he shall come and wish to undertake the charge of the administration. In testimony of which thing we have put to these presents the seal which we use in our office. Dated on the day and in the place and year above said.

And we John Waryn, Mayor of the town of Lenn, on the twenty-third day of the month of June in the eighth year of the reign of King Richard after the conquest the Second, proclamation of this testament having made many times, and the same testament having been proved before us and our community according to the law and custom of the aforesaid town, in the ways and manner agreed upon in respect to the tenements and rents bequeathed in the said testament, no one in this matter contradicting nor reclaiming, we ratify and approve the same testament, signed with the appendant seal which we use in the office of our Mayoralty and enrolled in the rolls of testaments of the Guildhall.

(2.) The Will (testament) of John de Grantham, Burgess of Lenn. In God's name Amen. On the day of Mars in the vigil of the Exaltation of the Sacred Cross, in the year of the Lord one thousand three hundred and eighty-four, I John de Grantham, Burgess of Lenn, of my sane purpose and composed mind, make my will in this manner. In the first place, I recommend my soul to God Almighty, the Blessed Virgin Mary and all the Saints, and leave my body to be buried in the parish churchyard of St. Margaret of Lenn aforesaid,—Also I leave xl*s.* as well for my forgotten tithes as for my offerings to the High Altar of the same church,—Also I leave iii*s.* iiii*d.* to the fabrick of the same church,—Also I leave ii*s.* to the fabrick of the church of St. James of the same town of Lenn,—Also I leave ii*s.* to the fabrick of the church of St. Nicholas of the same town of Lenn,—Also I leave xl*s.* to the convent of the Friars Carmelites of South Lenn,—Also I leave iii*s.* iiii*d.* to each of the other convents of the orders of Mendicant Friars of Lenn,—Also I leave vi*s.* viii*d.* to the convent of the nuns of Shouldham,—Also I leave vi*s.* viii*d.* to the nuns of Blakeburgh,—Also I leave vi*s.* viii*d.* to

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the nuns of Crabhouse,—Also I leave iiis. iiiid. to each house of the seven houses of lepers about Lenn,—Also I leave to my son John "unam mappa', unam tuall', unam pelvem" with a vessel for washing clothes in, xii silver spoons, two silver cups with the two covers one of which is wrought to the fashion of a chalice, and the other of which I bought of Thomas de Honton,—Also I leave to my same son John "ii len'os integros, i arcbam et totam armaturam meam cujuscunque generis seu operis fuerit," and if it shall happen he shall die before receiving the said goods bequeathed to him by me, I will the same goods to be sold my executors, and I leave the money coming therefrom to be expended at the disposition of my executors in works of charity and alms for my soul and the souls to which I am bound and of the said John and all who have died in the faith,—Also I leave xxs. to Thomas Baret,—Also I leave xiiis. iiiid. to Richard son of Geoffrey de Frangham and xs. to each of the three brothers of the same Richard,—Also I leave xxs. to Katherine the daughter of Thomas Drewe,—Also I leave all that my tenement with its appurtenances in Bishop's Lenn, lying between the north angle of the lane which leads to Wyngate, formerly belonging to Laurence Keppes, to be sold by my executors, and the money coming therefrom I bequeath and assign to pay my debts and funeral expenses, and then to works of piety and alms at the disposition of my executors for my soul and the soul of Isabella long since my wife and the souls to whom I am bound and the souls of all who died in the faith. Moreover I leave the residue of all my worldly goods wholly (integraliter) to my wife Matilda. Of this my testament I constitute my executors Geoffrey de Frangham, Thomas Drewe and John Lokes burgesses of Lenn aforesaid, and I leave xxs. to each of them for his labour. In testimony of which thing I have put my seal to the present testament.—Dated &c.

This will was proved before us the Official of the Liberty of the town of Bishop's Lenn on the second day of the month of October in the year of Lord one thousand three hundred and eighty-four. And administration of all goods touching the said will was given to the executor named in the said will, sworn in lawful form. In testimony of which thing we have put to these presents the seal of our office. Dated &c.

And we Thomas de Conteshale, Mayor of the town of Lenn on 22 January 1387 A.D., proclamation having been made and this will proved according to the law and custom of the town of Lenn aforesaid, in the ways and manners agreed upon, no one in this matter opposing, we ratify and approve the present testament, signed with the pendent seal which we use in the office of the mayoralty, and enrolled in the Rolls of Testaments of Lenn aforesaid.

In connection with this Wills Roll (8-22 Ric. II.), mention may be here made of a collection of fourteen wills (with probate), viz.: of Richard de Geyton, burgess of Bishop's Lenn, dated 1276 A.D.; of Robert Langham, burgess of Lenn, proved 1313 A.D.; of .... de Keteliston, burgess of Lenn, widow; of John de Lenn mercer, burgess of Lenn, proved 1372 A.D.; of Margaret Grym of Lenn widow, proved 1375 A.D.; of John Wace, burgess of Lenn, proved 1399 A.D.; of William Bechecroft, dated at Methwold 1421 A.D.; of Robert Salesbury, burgess of Lenn, dated 1429 A.D.; of William Silisden, burgess of Lenn, proved 1430 A.D.; of Gilbert Watson, burgess of Lenn, proved 1479 A.D.; of Thomas Dawson of Lenn, proved 1539 A.D.; of William Plane, of Lenn yoman, proved 1582 A.D.; of John Turner of King's Lynn, proved 1744 A.D.; and of Ann Barsham of King's Lynn, widow, proved 1751 A.D.

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(D.) *Extracts from the Corpus Christi Rolls.*

1-2 Henry IV.—Roll of the Accounts of Thomas Ploket and Thomas Trussebut, treasurers of the Corpus Christi Gild from the Feast of Corpus Christi in the first year of Henry the Fourth to the same Feast in the following year; accounting for moneys received to the amount of xlv*li.* xix*s.* iii*d.* ob., one item of the receipt being

"xiii*s.* iiii*d.* received of Thomas Outelawe for the right of a little ferry-boat,"

Whilst under the heading of "Entrances of brethren, with gifts to the Gild" appear these entries,

c*s.* from the entrance of John Marche into the aforesaid society,

c*s.* from the entrance of William Hunderpound into the aforesaid society,

c*s.* from John Wynteworth, John Kempe and Simon Kemp, granted for the soul of John Kemp.

Comprising payments to the chaplain of the gild, charges for the maintenance of light "circa herciam" in accordance with the society's agreement with John Chandeler, a payment of cliii*s.* iiii*d.* for a single piece of wax weigh ccc. i*qa.* vii*lb.*, a payment of xv*s.* v*d.* for the making of xxxv torches of the same wax, and a payment of xi*s.* to divers "ministrallis ministrum facientibus" at the Feast of Corpus Christi, the disbursements give the following items of the costs and charges of the great yearly celebration of the gild,

xii*d.* to the Sacristan of St. Margaret's Church "pro pulsatione in dicto festo,"

iii*s.* iiii*d.* to the clerks of the same church for their labour in chaunting at the same feast, and

ciii*s.* ii*d.* for the bread, ale, red wine and white wine, capons, pullets, fish, flesh, spices and cooks' labour for the feast.

(*d.*) *Miscellaneous Writings, viz. Deeds of Gift, Acknowledgments, Agreements, Memoranda, &c.*

——, ——. Grant for ever, in perpetual almoign, by Robert the son of Anger de Rysing to the Hospital of St. Mary Magdalen on the calcetum between Gaywode and Lenn, and to the brethren serving or hereafter to serve God there, of twenty denarates of annual rent, to be had yearly of certain land in the Damgate of Lenn; the grant being made for the welfare of the donor's soul and of the souls of his father and mother. Witnessed by James de Beluaco then Mayor of Lenn, Richard Lamberd then alderman, William Wygeyn then steward, Robert de London, John Constentin, William le Palmer, Simon de Myntling, William le cronur, Geoffrey the dyer, Symon le lanedielman, Thurstan Erl, Eborard the tanner, Geoffrey the glover.—No date: but James de Beauveys was Mayor of Lenn 55-6 Henry III.

——, ——. Charter of Grant and Confirmation, by Matilda the daughter of Richard Chine, in her free power and widowhood, to God and the Blessed Mary Magdalen on the calcetum between Lenn and Geywde and the brethren serving or hereafter to serve God there, in respect to all those lands which Richard Goche, her man, gave to them and by his charter confirmed to them; the present charter of gift and confirmation being made by the said Matilda, in consideration of sixty shillings sterling, paid to her by the said Brethren. Witnessed by Robert the Mayor, Roger de Well', Michael Beauueys, Peter the son of Siric, Peter Godlam, Symon Forwen, William the son of Peter, Adam

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de G'nemne, Ralph de Libertye(?), John Kelloc, Robert the son of John de Geywde, Albert de Geywde, Geoffrey the son of . . . . , Master Alexander and others.—No date: but Robert de London was Mayor of Lenn 56 Henry III.

——, ——. Know all men present and to come. That I Alice formerly the wife of Eudo Arsic in my proper widowhood have given and granted and by this my present charter have confirmed to God, the hospital of St. Mary Magdalen on the calcetum between Lenn and Geywde and to the brethren serving and in time to come about to serve God there, for the welfare of my soul and the souls of my ancestors and of all who died in the faith, in pure and perpetual almoign, free and quit of all secular service, twenty and one acres and one rood of land in the Fields of Dunham, that is to say, seven acres of land in Wlnothesdele lying between the land of Roland of Kemestun towards the west and the land of Mabel formerly the wife of John Put towards the east, and abutting on the King's way towards the north, and seven acres lying between the land of John the priest of Thyrsford and the King's way, and one acre of land which Simon the priest of Dunham held towards Lekesham near the King's way at Simundespit whether it be computed more or less, and one acre of land which was formerly of William the son of Roger of Dunham, lying between the land of John the son of Robert and the said land which was of the said Symon the priest of Dunham, and two acres of land lying between the way which is called Strategate and the land of Gilebert Trig, and abutting on the land of John the son of Robert de Estlekesham, and two acres and half an acre of land which Richard de Spinei held, and three perches of land which Reynciris Hoche formerly held, lying between the land of Heltwise de Dunham and the land of William the clerk of Kemestun, And besides one fold of two hundred and fifty sheep to have and put in the same land and in the common pasture of Dunham to have common with my sheep. And I the said Alice an my heirs will for ever warrant this pure and perpetual almoign of all the aforesaid land free and quit in all things to God and the said hospital of St. Mary Magdalen, and the brethren serving or hereafter to serve God there against all people whatever may happen. In testimony of this thing I have to this charter put the impression of my seal. These being witnesses, John the son of Alexander of Dunham, William the son of the Knight of Westlekesham, Alan Ruffo, William Tyvi, Alan de Rokeshale in Pagraue, Alan the son of Philip of Pagraue, William the son of Robert of Pagraue, Richard Le Rus, Roger Le Strange de Fraweth, Gilbert of the other Fraweth, Godefrey the son of the Knight of Fraweth, William de Laye in Fraweth, Koneyn de Stowe and others. No date.

——, ——. Grant for ever, in pure and perpetual almoign, by Nicholas the son of William Thurvor of Ridun, to God and the Blessed Mary Magdalen upon the calcetum between Len and Geywde and to the brethren serving and hereafter to serve God there, of six denarates of annual rent to be had yearly of certain perches of land, described in the charter: the grant being made for the welfare of the grantor's soul and for the souls of his ancestors and "successors;" and it being expressed that the gift is quit "ab omnibus serviciis secularibus et demandis scicut aliqua elemosina potest dari . . . . alicui domui religionis." Witnessed by Gilbert the Mayor of Lenn, Bartholomew de Beu'o, Roger de Boylund, Nicholas the son of William de Lenn, John de Bedeford, Hernic Wein de Clencwartun, John the son of Alexander, and his brother Alan. No date.

——, ——. Grant, in perpetual almoign, by John de Kirtlinge the son of Alan de Kirtlinge, to God and the church (Deo et ecclesie)

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of the Blessed Mary Magdalen on the calcetum between Lenn and Geywde, of certain homage and service, that is to say, of twenty-two denarates of annual rent, arising from certain land in Ridun and Gangham; the grant being made for the welfare of the grantor's soul, and of the souls of his ancestors and successors, and it being expressed that the gift is quit of all secular services and demands "sicut aliqua elemosina potest dari melius ac liberius eidem domui vel alicui domui religionis"; the concession being moreover accompanied with an engagement that the grantor and his heirs will warrant and defend "prenominatum homagium et servicium prenominate ecclesie et fratribus ibidem deo servientibus et servituris contra omnes homines." Witnessed by Robert de Gnefeld then the chaplain ministering there, Anger de Risinge, William de Gangham, Simon Bonet, Roger de Ridun, Roger and Simon the sons of Alan, Geoffrey de Tilneye, Nicholas the son of the priest (fil' sacerdotis), Roger Dunet, John de Gunetorp the clerk, Richard the clerk son of Alan the chaplain of Len, Simon Frewen, and many others. No date.

——, ——. Grant by Eudo Arsic to the Friars of Geywde.—Know all men, present and to come, That I Eudo Arsic have granted and given and by this my charter have confirmed to God and St. Mary Magdalen on the calcetum between Lenn and Geywde, and to the brethren serving God there and to the brethren who shall serve God there in time to come, for the health of my soul and my ancestor's souls, and for the health of the soul of my wife Alice and of the souls of her ancestors in pure and perpetual almoign, free and quit of all secular service, sixteen acres of land lying in the field of Dunham, that is to say, seven acres of land in Wlnoresdele, between the land of Roland de Kemeston towards the west, and the land of Mabel formerly the wife of John Put towards the east, and abutting on the high way towards the north; and seven acres of land lying in its length between the land of John the priest of Thirsforde and the king's way, and abutting towards the west on the land of John the son of Robert, and towards the east on the land of the said Eudo Arsic; and one acre of land which Symon the priest of Dunham held towards Lechesham near the King's way at Lymundspa, whether it be computed at more or less; and one acre of land, formerly of William the son of Roger de Dunham, lying between the land of John the son of Robert, and the aforesaid land that was of the said Symon the priest. And besides I have granted and given to the aforesaid Brethren a fold of two hundred and fifty sheep, to have and put them in the same land and in the common pasture of Dunham to have commonage with our sheep. Moreover also, I Eudo Arsic and my heirs will warrant the aforesaid tenement and the aforesaid fold, together with the aforesaid pasture, to the brethren against all men for ever. These being witnesses, John de Dunham, Richard le rus, Symon de Keruinge, Nicholas the parson of Westlechesham, Jordan the parson of Dunham, Thomas Edeline, John de Oxewic, Robert the Mayor of Lenn, Roger Godlam, his brother Peter, William Saphir, Peter the son of Siric, Master Alexander, and others. No date.

——, ——. Grant by Laurance Utlator of Lenn, to God and to the hospital of Len, and to the sick brethren serving God there (et fratribus infirmis ibidem deo servientibus) of a penny, to be had yearly of his purse on Michaelmas day throughout his life, the said grant being made for the welfare of the souls of the grantor, his parents and his benefactors: With further concession and provision that, after the grantor's death, the hospital and sick brethren serving God therein shall receive annually for ever the yearly rent of one penny, which Peter Strac and

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his heirs are bound to render the grantor and his assigns in perpetuity, from a certain four-feet breadth of land lying in the Damgate between the grantor's land and the said Peter's land. Witnessed by Sir Robert mayor of Lenn, Ralph Kelloc, Adam de G'nemitta, William the clerk de G'nemitta, Robert the son of David, Richard de Brecha, William the son of Aell'd, John de Geywdia, Michael de Beaw, Yvon de Lincoln, William the son of Richard, John the son of A'stin', and many others, No date.

——, ——. Grant by Geoffry, the son of Peter, the son of John, the son of Swith of Len, of two denarates of rent yearly to be received of Ailled Mader and his heirs, from the chief messuage of the said Ailled, to God and the Hospital of St. Mary Magdalene on the calcetum between Len and Geywde and to the brethren who serve or shall serve God there. Witnessed by William de . . . . , Gilbert the son of Warin. John de Bedeford, Edmund de Walsingeham, John de Koltone, Geoffrey de Sleford, Odo the tanner, Thomas Coleuile, Peter de Leie clerk, Vincent the clerk and others. No date.

——, ——. Grant for ever, by Margaret the daughter of Alexander of London to God and the church of St. Mary Magdalen on the calcetum between Lenn and Geywde and to the brethren serving God there, for the health of her soul and of her father's soul, and of the souls of all who have died in the faith, of—(1) the homage of Robert the son of Henry de Wis and a service of six shillings and eight pence yearly to be received at the Feast of St. Margaret, as the charter which the aforesaid brethren have of the grantor's mother Cecilia testifies; (2) the homage of Augustine the son of Orrich' de Clenchwarton and a service of forty pence; (3) the homage of William Scot de Tiln', and a service of twelve pence in like manner to be had at the Feast of St. Margaret, as the charter, which the aforesaid Brothers have of the grantor's aforesaid mother Cecilia, bears witness. Witnessed by Adam de Guntune, Peter the son of Sirie, Ralph Roman', John de Bedeford, Geoffrey de Lincoln, Robert de Walton, his nephew Walter, Fulk de Grimeston, John Kelloc, William de Parisio, William de Swafham, John de Clinch-Wardton, Alexander the Clerk, and others. No date.

——, ——. Deed of Gift and conveyance for ever, at a yearly rent to her and her heirs for ever of one half-penny, of all her right in a certain ferry-boat at Lenn Ferry (in una nave transvectrici in passagio aque Lenn), which her father Symon de Waynfleth had in marriage with her mother Matilda, by Clarice (daughter of aforesaid Symon), in her widowhood and free power, to Geoffrey de Welle and his heirs and assigns for ever: the said grant being made in consideration of a payment of two marks sterling. Witnessed by Leman de Horningtoft, John Godewyn, Adam Koket and others. No date.

——, ——. Grant in fee-farm for ever, at a yearly rent of eight pence, of two acres of arable land in the marsh of Ghewnd, called Saltushill and lying between Cotehill and the land of Adam de Gernemuth, by Simon, the parson of half of the church of Sk'ningham, to Peter the Chaplain, Master of the house of lepers of the Holy Mary Magdalen of Lenn, and to his successors being Masters of the same house; the grant being made "pro homagio suo quod michi fecit de feudo et pro tribus marcis Argenti quas michi dedit in gersuma." Witnessed by Gilbert de Hawesham, Adam de Gernemuth, Simon the son of Robert of Sk'ningham, John de Badhele, John de Monte Acuto, Geoffrey the Chaplain de Ghewnd, Robert the son of John, Ralph the Clerk, Geoffrey de Hagheclose, Peter the son of . . . . , Nicholas the son of William, Richard the son of Goce. No date.

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——, 14 Edward I. Deed of Gift and conveyance in fee-farm for ever, at a yearly rent of a clove to the grantors and their heirs &c., of a certain ferry boat at Lenn ferry (unam navem transvectricem in passagio aque Lenne que vocatur ferye) with all the liberty pertaining to the same vessel, by Philip Peyteuyn of West-Lenn and his wife Agnes to John Ode burgess of Lenn, his heirs and assigns: the said grant being made in consideration of a payment of forty marks of silver. Witnessed by Adam de St. Edmund then Mayor of Lenn, William de Lindeseye, John de St. Omer, Alan de Lindeseye, John de Yspania, Thomas Cholle, Thomas Euerard de Northlenn, John le feryer, Thomas son of Geoffrey de Wells of Westlenne, Absalone de Leuerington, John the clerk and others. Dated at Lenn on St. Martin's day.

——, 25 Edward I. Deed of Gift and conveyance of all his right in the ferry-boat of Lenn ferry (formerly belonging to Symon de Waynfleth burgess of Lenn), with the liberty and all things pertaining to the same vessel, by John Costantyn burgess of Lenn to John Quytlock comburgess of the same town and to his wife Isabel and their heirs and assigns: the said grant being made in consideration of a certain payment of silver. Witnessed by Hugh de Massingham then Mayor of Lenn, Thomas de Grangia then Steward, and others named or unnamed. Dated at Lenn, at the Feast of the Assumption of the Virgin Mary.

——, 26 Edward I. Deed of Gift and conveyance, made in consideration of a payment of silver, by John Ode burgess of Lenn of his ferry-boat at Lenn ferry (navem meam transvectricem in aqua Lenne que vocatur ferye cum pertinenciis et libertate predicte navi pertinentibus et totum jus dicte navis et libertatis sue quod fuit quondam Willelmi filii Godwin Anger de Lenn) to John de Welle comburgess of Lenn and his heirs and assigns for ever. Witnessed by Hugh de Massingham then Mayor of Lenn, Peter de Thrunden, John de Yspania, John de St. Omer, his son Lambert, Alan de Lindeseye, Geoffrey Drewe, Ralph le Paumer, Richard de Munby, Thomas de Waynflet, John de Acre, John de Bauseye the clerk and others.

——, April 1301. Deed of Grant by Robert de Scales, Lord of Midilton, (made for the health of his soul, and the soul of his wife Isabella, and the souls of their children and ancestors) to the Friars Minors of Lenn, of the use for ever of a certain spring-head in the donor's lordship of Dungeton, at a place called Herdewyk . . . . . Welle, So that the said Friars of Lenn or others in their behalf may, so often as it may seem expedient to them, search and dig at the said springhead and put down all things necessary for leading water from the same spring to their house at Lenn.

— June, 1 Edward II.—Indenture of an Agreement, made between John by God's grace Bishop of Norwich of the one part, and the Mayor and community of his town of Lenn of the other part, whereby the said bishop granted for himself and his successors warranty, acquittance and defence against all people for ever to the said Mayor and community, in respect to a certain place in the bishop's ground on the north of the said town, held by them of the said bishop and his successors at a yearly rent of twelve pence, in which place a certain "inclusa" or basin for water has been put by the same Mayor and community. Dated at Gaywode.

— October, 3 Edward II.—Copy of the composition made in October 3 Edward II. between John by God's grace Bishop of Norwich of the one part and the Mayor and the Community of the town of Lenn on the other part, for the settlement of divers contentions between them,

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containing this clause touching the liberty of Inhabitants of the said burgh :—"The Meyre also and the comonalte of the forsed town of no man willing in the same towne of Lynne to inhabite hymself and dwelle as for his inhabiting and dwellyng no thyng violently shul aske or take or for the same colour or title resceyve for hit that expressly agens the liberte and the lordship of the Bishop be fore seyd but ȝif it be as that any man in the same towne abyde a year and ther yn aftirward as a mansyfe wol dwelle and abide so that afterward he may not be classed no straunge man and thanne aftirward to his power as other of the towne to alle profytes and skileful thynges of reson and helpynges that owe to be do of reson to the comonalte of Lenne they shal ȝyve so that for his inhabityying and dwellyng of no man ther shal no thyng be take on no manere wyse;" and this clause respecting immoderate tallages, "The Meyr also and comonalte befor seid have graunted that all taskes and tallyages unleeful and unresonable grevous which that by the grete men of the towne aforesaid upon the mene peple and the povere to their oppression and hyndryng ofte tyme they have be putte upon and by grevous distressyng so vyolently of hem take with owte cause and depauperacion gretly of the towne fro hens forward it shal no more be do but whan profite or nede aske it resonably and mesurably it should be do and hove suche contribuciouns redyly after the faculte myght and power of every man with owte any excepcioun of any persone."—Also on the same parchment a copy of the composition made 11 August 7 Henry IV., between Henry by God's grace Bishop of Norwich of the one part and the Mayor burgesses and community of Bishop's Lenn of the other part, for the determination and settlement of contentions between them.

— 7 Edward II. Certificate that at an Assembly held in the Gildhall of Bishop's Lenn, for making provision in respect to all business touching the community in the King's parliament and elsewhere, authority was given to twenty-six persons, some of whose names are imperfectly legible on the parchment, to elect twelve of the more sufficient of the said town for the said matter; that the persons chosen by the committee were Lambert de St. Omer, John de Thornbegg', Adam de Berwik, William de Sculton, Robert Faukes, John de Thorndeyn, William Wimark, John Burghard, Robert de Walshingham, John de Bukworth, Peter de Elingham, Walter de . . ., and Thomas de Pulham; and that the said *thirteen* persons had warranty under the common seal that whatever they should determine should be deemed good and be adhered to; and that the whole community concurred in all the aforesaid matters.—It is noteworthy that though appointed to choose twelve persons, the committee of twenty-six made choice of thirteen individuals, the thirteenth perhaps being perhaps elected and appointed to give a casting-vote, in case the twelve should be equally divided on any matter.

7 Edward II.—Deed of Gift and conveyance of the ferry-boat, which he bought of John Costantyn, together with all liberty and things pertaining to the same vessel, by John Quitlock burgess of Lenn to John de Sissewelle of the parish of St. Peter of Lenn. Dated at Bishop's Lenn on Wednesday in the week of the Passover. Also, a series of Grants or deeds of Quitclaim in respect to the ferry-boat and its rights at the passage of the Lenn water, dated respectively in 11, 15, and 18 Edward II.; 4 and 23 Edward III.; and 3 Richard II.

5 November, 9 Edward II.—As sages hommes e as chers amiz Johan de Thornech Merre de Lenne e as burgess de meismes la Ville Robert de Monthaut seneschal de Cestre saluz e totes e cheres amistez. Chers Amiz e purceo q' vous maues mande q' les deners q' me saunt duwes

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au paier ore a la feste des touz seintz derrein passe ne sount pas uncore levez par la resoun des grevaunces e destourbances q' vous aves, Sachiez chers amiz q' de vostre grevaunce me peisse malement, et si ieo vous purrie eser ou alleger de vestre grevaunce jeo le ferraie molt bonement, mes certeinement chere amis jeo sui ore entiel meschief de deners qil vent q' ieo . . . . par quei vous pri chers amis q' vous me facez avoir mes deners au plus enhaste q' vous purrez qar certeinement ieo ne les pus plus longement desporter q' mout me peise. Et endroit del damage q' fu et fait a mon baillif, mavez vous maunde q' les parties sount accordez, Sachiez q' coment q' la pease soit faite par entre eux, le despit fait a moi nest pas redress, par quei vous pri chers Seignours q' dentre vous voillez ordiner q' les amendes me soient faites del despit avaundit. A die chers amiz q' vous doint bone vie e longe. Escrit an Shouldh' le v jour de Novembre.

Running in English thus,—

To the prudent men and our dear friends John de Thornech mayor of Lenne and to the burgesses of the same town, Robert de Monthaut Steward of Chester, health and all good and dear friendship:—Dear Friends, whereas you have sent me word that the moneys which were presently due at the Feast of All Saints last past are not yet levied on account of the troubles and disturbances you have had, Know dear friends that I am surely concerned for your trouble, and if I could give you ease or alleviation of your trouble I would do it most readily, but assuredly dear friends I am at present in such misfortune of money that . . . . wherefore I pray you my dear friends that you put me in possession of my moneys as speedily as you can, since of a truth I can no longer dispense with them, which much troubles me. And with respect to the wrong that was done to my bailiff, you have sent me word that the parties are in agreement, Know you that though peace be made between them, the contempt done to me is not redressed, wherefore I pray you dear Sirs that you will take order amongst yourselves that amends may be made to me for the aforsaid contempt. Adieu dear friends! May he give you happy and long life! Written at Shouldham the 5th day of November.

At the places indicated by points in this translation of a curiously courteous demand for money and amends, contain words of the French epistle have been effaced from the parchment.

—— 10 Edward II. Writing of acknowledgment and acquittance, by Robert de Monthaut, Steward of Chester, for £173. 6*s*. 8*d*. paid him by the Mayor and community of Lenn in part payment of £4000, which the said Robert de Monthaut and his wife Emma recovered against the same Mayor and community in the King's Court, before the Justices of the Bench in Easter Term 7 Edward II., of which £173. 6*s*. 8*d*. one hundred pounds were in payment of £100 due at the Easter next following the completion of this letter, and the other £73. 6*s*. 8*d*. were due at the Feast of All Saints next following the said Feast of Easter. Dated at Quorndon.

—— 12 Edward II. Writing of Acknowledgment and acquittance, by Robert de Monthaut, Steward of Chester, for 40 marks sterling, paid him by the Mayor and community of Lenn, in part payment of the 4,000*l*., which the said Lord and his wife Emma recovered against the same Mayor and Community in the King's court before the Justices of the Bench. Dated at Euerwyk on Saturday next after the Feast of St. Andrew.

19 May, 12 Edward II. Writing of acknowledgment and acquittance, whereby Robert de Monthaut, Steward of Chester, acknowledged him-

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self to have received from the Mayor and community of Lenne 20*l.*, in part payment of the 4,000*l.* sterling, which he and his wife Emma recovered before the Justices of the Bench at Westminster in the 7th year of Edward II., against the said Mayor and community, "del terme de touz seintz proschein avenir apres la . . . . de cest escrit, sicom plus pleinement est contenu en un escrit endente fait pentre nous." Dated at Lenn.

— January 13, Edward II. Deed (Latin) of Acknowledgment and acquittance. Be it known to all men by these presents, that we, Frater Johannes by God's permission Bishop of Norwich have received of Lambert de St. Omer and our other burgesses of Lenn thirty-and-two pounds and eleven shillings of silver, of the one hundred and forty pounds in which they were bound to us for certain amercements "p' sum' scacarii d'n'i regis," in which they were amerced before Ralph de Monte Hermeri and his associates the Lord King's Justices of Oyer and Terminer in the county of Norfolk, for the trespass of done to Robert de Montalt; And which hundred and forty pounds we pardon the same Lambert and the rest of our burgesses of Lenn, who were amerced before same Justices for the said transgression, the [remaining] one hundred and seven pounds and nine shillings of silver. Dated "apud Geywode viii. Idus Jannarii."

—— 14 Edward II. Writing of Acknowledgment and acquittance, by Robert de Monthaut, for £13. 10*s.* 4*d.* paid him by the Mayor and Community of Lenn, in part payment of the 4,000*l.*, which he and his wife Emma recovered against the same Mayor and community in the King's Court before the Justices of the Bench at Westminster, in the Easter Term of 17 Edward II.: the said sum of £13. 10*s.* 4*d.* being part of the 50*l.* which the same Mayor and community ought to have paid the said Robert at the term of All Saints last past. Dated at Lenn, on Saturday next before the Nativity of our Lord.

—— 14 Edward II. Writing of Acknowledgment and acquittance by Robert de Menthaut, Steward of Chester, for £7 3*s.* 0*d.* paid him by the Mayor and community of Lenne, in part payment of the 50*l.*, which the same Mayor and community are bound to pay him at the next Feast of All Saints, of the debt of 4,000*l.* which he and his wife Emma recovered against the same Mayor and community in the King's Court at Westminster before the Justices of the Bench in Easter Term 7 Edward II. Dated at Lenne on Tuesday next following the feast of our Lady's Assumption.

—— 14 Edward II. Writing of Acknowledgment and acquittance, by Robert de Monthaut, Steward of Chester, for ten pounds of silver from the Mayor and community of Lenn, in part payment of the 50*l.*, which the said Mayor and community were bound to pay him at the Feast of All Saints 14 Edward II., of the debt of 4,000*l.* which the said Robert and his wife Emma recovered against the said Mayor and community in the King's Court at Westminster before the Justices of the Bench in Easter Term 7 Edward II.—Dated at London on St. Martyn's.

5 August, 15 Edward II. Writing of Acknowledgment and acquittance by Robert Monthaut, Steward of Chester, for £15 6*s.* 8*d.*, paid him by the Mayor and community, in part payment of the 4,000*l.* which he and his wife Emma recovered against the same Mayor and community at Westminster before the Justices of the Bench; the said £15 6*s.* 8*d.* being in part payment of £50, due at the next Feast of

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All Saints in part payment of the same 4,000*l.* Dated at the Chastel de Rysinge.

2 December, 15 Edward II. Writing of Acknowledgment and acquittance by Robert de Monthaut, Steward of Chester, for £34 13*s.* 4*d.*, due to him at the Feast of All Saints last part "sicom plus pleynment est contenu en un escrit endente, parentre moi et eux," in part payment of the 4,000*l.*, recovered by the same Robert and his wife Emma "en la Court le Roi a la quinzeme de Pasque" at Westminster 7 Edward II. Dated at the Chastel de Risinges.

2 December, 15 Edward II. Writing of Acknowledgment and acquittance by Robert de Monthaut, Steward of Chester, for 23*l.*, paid him by the Mayor and community of Lenn, by the hand John Burghard, in part payment of the 50*l.*, due from the same Mayor and community next Easter, in part payment of the 4,000*l.* recovered by the said Robert and his wife "a la Quynzeme de Pasque" 7 Edward II., &c. Dated at the Chastel de Rising.

—— 15 Edward II. Writing of Acknowledgment and acquittance, by Robert de Monhaut, Steward of Chester, for sixty shillings in part payment of 50*l.* due from the Mayor and community of Lenn to the said Robert "a la Pasque prochain suyaunt apres la confeccion de ceste lettre," of the debt of £4,000 &c. &c. Dated at Snetesham, on the Wednesday next after our Lady's Purification.

17 October, 16 Edward II. Robert de Monthaut's Acknowledgment and acquittance, for 4*l.* paid him by the Mayor and community of Lenn, in part payment of the 50*l.* due at the next Feast of All Saints, in part payment of the 4,000*l.*, &c. Dated at Snetesham.

16 December, 16 Edward II. Robert de Monthaut's Acknowledgment and acquittance for £8 13*s.* 4*d.* paid him by the Mayor and community of Lenn, in part payment of the 50*l.*, due next Easter from the said Mayor and community, in part payment of the 4,000*l.*, &c. Dated at Kenynghale.

22 December, 16 Edward II. Robert de Monthaut's Acknowledgment and acquittance for £30 17*s.* 4*d.* paid him by the Mayor and community of Lenn, in part payment of the 50*l.*, due next Easter in part payment of the 4,000*l.*, &c., &c. Dated at Lenn.

31 December, 16 Edward II. Robert Monthaut's Acknowledgment and acquittance for £10 9*s.* 4*d.*, paid him by the Mayor and community of Lenn, in part payment of the 50*l.* due from them next Easter, in part payment of the 4,000*l.*, &c. Dated at Chastel Risinges.

16 Edward II. Robert de Monthaut's Acknowledgment and acquittance, for £14. 13*s.* 4*d.*, paid him by the Mayor and community of Lenn, in part payment of 50*l.* due to him from them at the next Feast of All Saints in part payment of the 4,000*l.*, &c., &c. Dated at Chastel de Risinges on St. Margaret's Eve.

16 Edward II. Robert de Monthaut's Acknowledgment and acquittance for £2 10*s.* 4*d.*, paid him by the Mayor and community of Lenn, in part payment of the 50*l.* due to him from them at the next Feast of All Saints, in part payment of the 4,000*l.*, &c., &c. Dated at Chastel Risinges on the Eve of St. Simon and St. Jude.

— 16 Edward II. Robert de Monthaut's Acknowledgment and acquittance for 6*l.* paid him by the Mayor and community of Lenn, in part payment of the 50*l.* due to him from them next Feast of All Saints in part payment of the 4,000*l.*, &c., &c.

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16 April, 16 Edward II. Robert de Monthaut's Acknowledgment and acquittance for 21*l.* paid him by the Mayor and Community of Lenn, in part payment of the 50*l.* due to him from them next Feast of All Saints, in part payment of the debt of 4,000*l.*, &c., &c. Dated at Chastel de Risinges.

35–6 Edward III.—Four Writings put together on the same file,—

(*a.*) Schedule headed "Ceaus sunt les choses qe devent Custume a Tolbothe."

(*b.*) Schedule of the profits of the Tolboth of Lenn from Michaelmas 35 to Michaelmas 36 Edward III.

(*c.*) Schedule of the proportions of the Profits of the Tolboth of the town of Lenn, accruing "domino Principi, domine Regine, Orby and Suffolc."

(*d.*) The Account of Simon de Gunton of the issues of the Tolboth of Lenn to the Queen, the Prince, the Earl of Suffolk, and the heirs of Orby.

(*e.*) Memorandum:—Whereas the heirs of Robert de Tateshale or the assigns of Robert de Montalt as heirs of Hugh d'Albini formerly Earl of Arundel, together with the Bishop of Norwic, before the time of the last journey of the Justices into the County of Norfolk, both lately held and still claim to hold the lordship and jurisdiction of the water of Lenn, and claim that distresses and attachments for customs, plaints and all other things there arising ought to be made in the aforesaid water by the common bailiffs of themselves and of no other persons, the aforesaid Robert de Montalt in his life, that is to say, in the 3rd year of the reign of King Edward the father of the present King, appointed a court to be held on his presumption of authority at the bridge of St. Germain in Wygenhale by Walter Payn his first Bailiff there; Emma who was the wife of the said Robert de Montalt injuriously continuing the said Court has appointed Thomas Wolsy and John Philip to be her Bailiffs there, Which Thomas and John at this present time cause the merchants and other men, rowing and flowing to the said town of Lenn with their ships and boats, laden as well with men as with merchandize, and on their return therefrom, to be summoned in inquests, distrained, attached, oppressed and harrassed, both by menacing them with hurling of stones that they come to land and tarry, and by extorting heavy fines from them, by the which very many merchants are borne down and impoverished by such and so great oppressions that they have left and sold their ships and boats, and by usurping the jurisdiction of the King's courts, to his injury and against the form of the King's statute in that case provided, to the very great loss of persons passing that way, constrain certain magnates of kingdom, as for instance the Abbot of Cruland, and others who hold of the Lord King in chief by victuals and other the goods bought in Lenn water aforesaid, that to persons making plaint respecting them they answer before them for trespasses committed and contracts made in the county of Lincoln and other counties of the kingdom.

(*f.*) Copy of a Petition to the Lord Chancellor for relief from the excessive and extortionate demands of the bailiffs of the Tolboth of Lenn; beginning "Plese a mon Seignor le Chanceller en salvacion de droit heritage de sa Eglice Dely et meyntenannce de droiture considereer southescriptz apartenantz a les custumes de la Tolboth de Lenn levees par les Baillifs extorseousement et saunz garrant en desherison des tenanntz mon dite Seigner et de toutz le comon poeple illonque repairant." Setting forth the words of the recent presentment

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of the same bailiffs by divers of the hundreds of Norfolk. "termino Pasche isto eodem anno coram Domino Rege apud Norwyk," the petition concludes, "Mon tresreverent Sr. cest' presentement fut fait al bannk le Roi a la darrein session en Norff' affyn qent due correccion dut avoir este faire par le Justic' solom droit et reson mes droit reson et loy sont mys a derer par un Supersedeas qe vient a le dit Justic sur ce en prejudice de Roi et de vous et de plosours altres Seignors et de vos tenauntz et de toute le comon poeple."

26 August 1382. Acknowledgment and bond of the Prior and convent of the Friars of St. Augustine of Lenn, for fifty marks of gold received by them for the said convent's use, of John de Beston, Professor of sacred Theology of the same order and convent, under conditions set forth in the instrument.

15 April 19, Richard II. Acknowledgment of John Merston, auditor of the Duke of Brittany, and deputy of the said Duke's receiver-general Richard Fitz Nichol, that he has received, from the Mayor and community of the town of Lenne, twenty marks of silver, of the issue of the farm of the portion of the Tolboth of the same town, pertaining to the said Duke, for the term of Easter last past.

1 July 20, Richard II. Acknowledgment of John Merston, auditor of the Duke of Brittany and deputy of Richard Fitz-Nichol the said Duke's receiver, that he has received of the Mayor and community of the town of Lenn twenty marks of silver, of the issue of the farm of the portion of the Tolboth of the same town, pertaining to the said Duke, for the term of St. Michael next coming.

-- 22 Richard II.—Acknowledgment of Robert, rector of the church of Marlyngford and receiver in Norfolk of the Duke of York's moneys, that he has received of Thomas de Watirden, Mayor of Lenn, by the hands of John de Lakynghith, ten marks of silver, for the farm of the Tolboth of Lenn pertaining to the said Lord Duke, for the term of St. Michael next coming after the date of the same acknowledgment. Dated on Friday in the virgil of St. Mathew the Apostle and Evangelist, in the said year.

20 December, 1 Henry IV. Acknowledgment of Edmund Aleshalle, receiver-general in Norfolk of the moneys of Henry Duke of Lancaster, that he has received eight marks and half a mark of the usual money of England, of Thomas Drewe late Mayor of Lenne, for the farm of the Tolbothe of the same town, for the term of St. Michael last past.

——, 8 Henry V. Indenture (tripartite) of the Agreement, whereby, for the determination and perfect settlement of differences long existing amongst his sons in Christ and tenants of his town of Lenn, John by God's Grace Bishop of Norwich granted (together with other concessions) that yearly in the presence of the Mayor of Lynn, present either at his pleasure or if necessity require his presence for the prevention of discords and debates, there should be yearly chosen in each of nine constabularies of the Town of Lenn, by the same constabulary, three burgesses of the more competent and peaceful of the burgesses thereof, having sufficient tenure in the aforesaid town, to take part in the causes and affairs touching the same town, namely in all taxes, tenths, fifteenths, allowances, repairs of houses, walls, bridges, watercourses and ditches, and also in all payments, renderings of accounts and allowances, and all other charges and exonerations of this kind, as often as it shall be necessary; So that if three sufficient, peaceful and discreet persons of this kind cannot be found in any constabulary, then burgesses

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shall be chosen from the other constabularies in place of those wanting, and that whatever the Mayor Alderman twenty-four or the greater part of them and the twenty-seven persons as is aforesaid or the greater part of them shall think right to ordain in the premises shall be agreed upon (et quicquid Maior Aldermannus viginti quatuor vel major pars eorundem et viginti septem persone ut premittitur vel major pars eorundem in premissis duxerint ordinandum ratum et gratum habeatur). Provided always that if any person or persons of the twenty-seven thus elected shall be less than duly sufficient, discreet and peaceful, another person or other persons may be chosen from his constabulary or their constabulary or constabularies or from another constabulary or other constabularies by the aforesaid Mayor Alderman twenty-four or the greater part of them, and the aforesaid twenty-seven or the greater part of them present in the common council of the aforesaid town: With provision of measures to be taken in case the said assembly should be unable to agree respecting the election of a person or persons in place of the disqualified person or persons.

20 October, 5 Henry VI. and 1426 A.D. Bond of the Prior and Convent of the Friars of the order of St. Augustine of Norwich for payment of twenty marks to the Convent of Augustine Friars of Lenne.

30 November, 19 Henry VIII.—Indenture of an Agreement, made (at the mediation and motion of Thomas lord Cardinal, Legate de Latere, Archbishop of York, Primate of Englonde and Chancellor) for the settlement of controversies between Richard by God's grace Bishop of Norwich of the one part and the Mayor and burgesses of the burgh of Bishop's Lenn of the other part; Whereby the said Bishop granted, together with other things, a lease for thirty years to the said Mayor and burgesses of the yearly Lete of the said town with all the perquisities thereof, and also the two courts called the Stewards' Hall Court and the Tollebothe Court, and all such fairs and markets waifs and strays as the said Bishop had or ought to have in the said burgh, and also his liberty and franchises of return of all the king's writs, &c., at a yearly rent of one hundred and four shillings.

4 May, 1 Edward VI. Indenture of a Decree in arbitration and agreement, between William Coke, S.L. recorder of Cambridge, Thomas Gawdy esq. recorder of King's Lynne, Thomas Waters and Raffe Downes burgesses and aldermen of King's Lynne, and John Fanne and John Ruste burgesses and aldermen of the town of Cambridge: For the determination and settlement of controversies and contentions between the Mayor and burgesses of King's Lynne and the Mayor Bailiffs and burgesses of the town of Cambridge respecting certain tolls customs and other charges levied of the burgesses of Cambridge by the Mayor and burgesses of King's Lynne, and respecting certain privileges and liberties granted to the two towns by the said King and his progenitors.

18 February, 18 Elizabeth. Writ of Inhibition, addressed by Edward, Earl of Lincoln and Lord High Admiral, to the Mayor and aldermen of the town of Lenn and their officers, Forbidding them to proceed further in a certain matter against Thomas Hubberd.

15 November, 7. James I. Indenture of a decree in arbitration, made by Sir Henry Hobart, bart., His Majesty's Attorney-General and Sir John Jacksonne knt., recorder of the town of Newcastle, arbitrators appointed for the settlement of differences between the Mayor and burgesses of Newcastle-upon-Tyne and the Governor stewards and brethren of the Fraternity of hoastmen of the said

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town of the one part, and the Mayor and burgesses of King's Lynne co. Norfolk of the other part, touching tolls and customs.

17 October, 20 James I.—Indenture of an Agreement, made between Francis Gurney citizen and merchant-taylor of London, Ambrose Tompson of Thetford co. Norfolk glover, and Martin Hill of Ellingham co. Norfolk woolchapman, of the one part, and the Mayor and burgesses of the borough of Lenn of the other part: Whereby, for considerations set forth in the writing, the said Francis, Ambrose and Martin agreed to instruct the poor children of the said town in the art of spinning worsted-yarn, providing the wool needful for the same instruction, and also to give employment to the poor of Lenn in the same industry of spinning worsted-yarn, paying those of them that are not mere learners fit wages for their work.

7 August 1622.—Grant by the Dean and Chapter of the Cathedral Church of the Holy Trinity of Norwich to the Mayor and burgesses of King's Lynn: Reciting a certain deed of 1 May 1626, whereby the same Dean and Chapter granted a lease for twenty-one years of the "rectory of Sct. Margaret in Kynge's Lynn aforesaid, some[time] called the pryorie of Lynn and all gleeb lands tenthes tythes oblacions . . . . unto the sayd parsonage and rectory and unto the cappells of Sct. Nicolas and James within the walls of King's Lynn belonging and appertaining, &c.," at a yearly rent of £20 2*s.* 0*d.*; and Granting that a certain piece of ground, parcel of the premises so demised, may be taken into and added to St. Margaret's churchyard, for the needful enlargement of the burying ground of that parish.—Also Letters Testimonial, dated 4 August 1624, by Samuel bishop of Norwich, constituting the aforesaid ground sacred, and dedicating it to uses of interment, in accordance with the afore-described grant by the Dean and Chapter.

Besides the writings mentioned in the foregoing catalogues, the Corporation of King's Lynn possesses a large assemblage of Deeds (Grants, quitclaims, indentures of agreement, leases, acknowledgments, &c.,) municipal or private, from Edward the First's time to the 18th century, touching property, municipal or private, lying within the boundaries of the borough; together with numerous writings of the same diverse kinds, having reference to lands and tenements outside the borough now or in former time belonging to the Corporation. These documents preserve a large body of particulars, likely to be serviceable to topographers and other historians of Old Lynn; and persons who may search them for the sake of this information will have occasion to be grateful for the careful labour expended on their arrangement by the late Mr. H. Harrod, F.S.A.

At the conclusion of this report on an exceptionally interesting and valuable collection of municipal muniments, I venture to give public expression to my sense of obligation to the Town Council of King's Lynn for the facilities they afforded me for the performance of my official duties, and to several inhabitants of the ancient borough for social courtesies that rendered my term of work within their bounds a term of enjoyment.

JOHN CORDY JEAFFRESON.

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